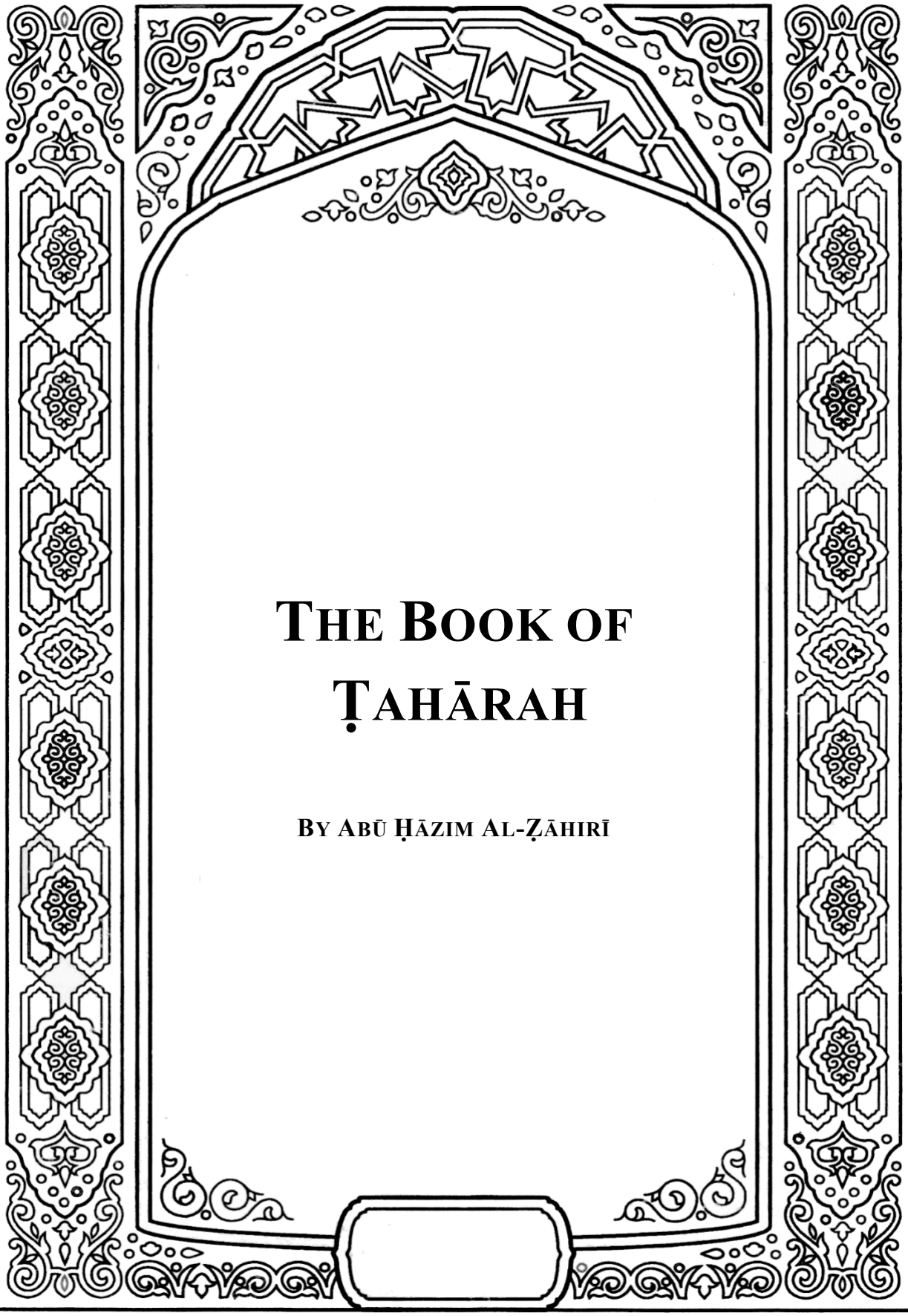

The Book of Ṭahārah

By Abū Ḥāzim al-Ẓāhirī

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ، وَصَلَّى اللَّهُ عَلَى مُحَمَّدٍ خَاتَمِ النَّبِيِّينَ وَالْمُرْسَلِينَ، وَسَلَّمَ تَسْلِيمًا وَنَسْأَلُ اللَّهَ تَعَالَى أَنْ يُصْحِبَنَا الْعِصْمَةَ مِنْ كُلِّ خَطَإٍ وَزَلَلٍ، وَيُوَفِّقَنَا لِلصَّوَابِ فِي كُلِّ قَوْلٍ وَعَمَلٍ. آمِينَ آمِينَ.

Table of Contents

PURIFICATION **15**

Issue: Wuḍūʾ for Prayer is Obligatory, and Prayer is not Valid Without it for the One Who Has Access to Water. **15**

Issue: Wuḍūʾ is Not Valid Without the Intention of Purifying for Prayer **15**

Issue: Performing Wuḍūʾ Before and After the Prayer Times **17**

Issue: Combining the Intention of Ṭahārah with the Intention of Cooling Off **20**

Issue: The One Who Immerses the Limbs of Wuḍū Into Water While Intending Wuḍūʾ **22**

Issue: Reciting the Qurʾān, Prostrations in it, and Touching the Muṣḥaf **22**

Issue: The Adhān and Iqāmah are Valid Without Ṭahārah, and Also in a State of Janābah **30**

Issue: It is Recommended for the Junub to Perform Wuḍūʾ if He Wishes to Eat or Sleep **31**

Issue: The Manner of Purifying Impurity Found on What is Worn on the Feet Below the Ankle Specifically **35**

Issue: Purifying the Front and Rear Private Parts from Urine, Feces, and Blood **36**

Issue: Purifying the Urine of Male, Female, Children and Adults 40

Issue: Purification from Menstrual Blood or Any Kind of Blood41

Issue: Purifying Madhī with Water 44

Issue: Purifying the Vessel of the Kitābī 45

Issue: A Dog Drinks from a Vessel 47

Issue: Ruling on a Vessel in Which a Cat Drinks From 54

Issue: Purification of the Skin of a Maitah 55

Issue: The Vessel of Khamr if the Khamr Turns into Vinegar 60

Issue: Manī is Ṭāhir 61

Issue: If Dried Feces or a Maitah is Burned or Changes Then Becomes Ash or Soil 63

Issue: The Saliva of Believing Men and Women 64

Issue: The Kāfir is Najis and the Muslim is Ṭāhir 64

Issue: The Ruling on the Leftover of Every Disbelieving Man or Woman, and the Leftover of Every Animal Whose Meat is Eaten or Not Eaten 67

Issue: The Ruling of a Liquid If Impurity Falls Into It 68

Issue: Urine of Any Animal 91

Issue: Wool, Fur, Horn, and Tooth Taken from a Living Animal 101

Issue: Parts of Whose Meat is Prohibited 101

Issue: The Ruling on the Milk of the Jallālah 102

Issue: Wuḍūʾ with Used Water 102

Issue: Ruling on Vomit from Every Muslim or Kāfir 109

Issue: The Impurity of Khamr, Gambling, Stone Altars, and Divining Arrows 109

Issue: Nabīdh Made from Mixing busr, tamr, zahw, ruṭab, and raisins 110

Issue: Facing the Qiblah 110

Issue: The Permissibility of Performing Wuḍūʾ and Ghusl for Janābah with Water Mixed with something Ṭāhir 114

Issue: The Ruling on Wuḍūʾ and Ghusl When the Condition of Validity is Missing Which is When the Name 'Water' No Longer Applies To It 115

Issue: The Prohibition of Dipping the Hands of the One Who Woke Up into Water 117

Issue: The Prohibition of Performing Ghusl from Stagnant Water for the Junub 119

Issue: The Invalidity of a Man Performing Wuḍūʾ or Ghusl with Water Left Over by a Woman 121

Issue: The Invalidity of Wuḍūʿ and Ṣalāh When Performed with Water Over Which One Has No Right 124

Issue: The Invalidity of Wuḍūʾ and Ghusl Using Vessels of Gold and Silver for Both Men and Women 125

Issue: The Invalidity of Wuḍūʾ and Drinking from the Water Found in the Land of Thamūd 127

Issue: The Invalidity of Wuḍūʾ and Ghusl with Juice Water 128

Issue: Clarification of the Waters by Which Purification Is Permissible 128

THE MATTERS THAT INVALIDATE WUḌŪʾ 129

Issue: Losing the ʿAql 129

Issue: Sleep Does Not Invalidate Wuḍūʾ 130

Issue: The Ruling on Madhī, Urine, and Feces, No Matter the Place From Which They Exit: the Anus, the Urethra, or Otherwise 135

Issue: The Wind (Gas) That Exits From the Anus Invalidates Wuḍūʾ 136

Issue: The One Afflicted With Chronic Incontinence Must Perform Wuḍūʾ for Each Obligatory or Voluntary Prayer 137

Issue: A Man Touching His Own Private Parts Intentionally 139

Issue: Eating Camel Meat Nullifies Wuḍūʾ 145

Issue: From the Nullifiers of Wuḍūʾ is a Man Touching a Woman or a Woman Touching a Man, with Any Limb 148

Issue: Penetration of the Private Parts Whether Ejaculation Occurs or not Obliges Wuḍūʾ 153

Issue: Carrying the Deceased in a Bier or in Something Else 153

Issue: The Appearance of Istiḥāḍah Blood or Flowing Blood from the Vagina 154

Issue: Wuḍūʾ is Not Invalidated By the Following 155

THE MATTERS THAT OBLIGE GHUSL 162

Issue: Insertion of the Ḥashafah (Glans) or its Extent Into the Woman's Private Part 162

Issue: Ghusl After Becoming Junub 165

Issue: Janābah is the Fluid From Which a Child is Created 165

Issue: When Janābah is Discharged, Ghusl Becomes Obligatory 167

Issue: A Woman Had Intercourse, Then Performed Ghusl, Then the Man's Semen Exited Her Vagina 168

Issue: A Man Ejaculated on a Woman and His Semen Entered Her Vagina 168

Issue: Man and Woman in a State of Janābah Due to Intercourse Without Ejaculation 168

Issue: One Who Inserted (the Penis) Into the Private Part and Became in a State of Janābah 169

Issue: Ghusl on the day of Jumuʿah is an obligation upon every adult, and also perfume and siwāk 170

Issue: Ghusl of Friday is for The Day, Not the Prayer 178

Issue: Washing Every Deceased Muslim is an Obligation 181

Issue: One Who Washes the Dead With His Own Hands Must Perform Ghusl 182

Issue: Someone Pours Water Over a Person Performing Ghusl, and the Person Intends Ghusl 184

Issue: Interruption of Menstrual Blood During The Menstrual Period 184

Issue: The Ruling of a Woman in Nifās and a Menstruating Woman is the Same for Ḥajj and ʿUmrah 185

Issue: A Woman Enters into ʿUmrah Then Menstruates 186

Issue: Ghusl After Burying a Kāfir 186

Issue: Ghusl for Janābah 187

Issue: Rubbing the Body (Tadalluk) is Not Obligatory In Ghusl 188

Issue: There is No Meaning to Running the Fingers Through the Beard During Ghusl or Wuḍūʾ 193

Issue: Does a Woman Have to Comb Through the Hair at the Forehead or Her Braids During Ghusl from Janābah? 197

Issue: Must a Woman Undo Her Braids and Forehead Hair in Ghusl? 197

Issue: A Person in Need of an Obligatory Ghusl Immerses in Flowing Water 199

Issue: A Person in Need of an Obligatory Ghusl Immerses in Still Water with the Intention of Ghusl **199**

Issue: One Who Becomes Junub on the Day of Jumuʿah **201**

Issue: It is Disliked For the One Bathing to Dry Himself With a Cloth Other Than The One he Wears **204**

Issue: If the One Performing Ghusl Immerses Himself Into Water **205**

THE DESCRIPTION OF WUḌŪʾ **206**

Issue: The Description of Wuḍūʾ **206**

Issue: Wiping the Ears **211**

Issue: The Feet in Wuḍūʾ **212**

Issue: Wiping Over What is Worn on the Head, Such As a Turban or Khimār **215**

Issue: Whether a Person Wipes Over the ʿImāmah and the Khimār Upon a State of Ṭahārah or Not **219**

Issue: The ʿImāmah, Khimār, and Khuffayn Without Any Time Limit or Restriction **220**

Issue: There Was Dye or Medicine Under What Was Worn on the Head **220**

Issue: Abandoning a Part Which is Obligatory to Wash in Wuḍūʾ or Ghusl **221**

Issue: Whoever Reverses the Order of Wuḍūʾ or Puts a Limb Before the One Mentioned Prior To It **222**

Issue: Whoever Separates Their Wuḍūʾ or Ghusl 224

Issue: Excessive Use of Water in Ghusl and Wuḍūʾ 226

Issue: The One Who has Splints (Casts) or Medicated Plasters on his Arms, Fingers, or Legs Because of Necessity 226

Issue: Ruling on Touching the Private Part with the Right Hand 228

Issue: One Who Is Certain of Having Made Wuḍūʾ or Ghusl, Then Doubts 230

Issue: Wiping Over What is Worn on the Feet That Reaches Above the Ankles 231

Issue: The Beginning Time for Wiping 237

Issue: Men and Women Are the Same in This 241

Issue: Performing Wuḍūʾ and Putting On One Khuff After washing That Foot 242

Issue: If There Is a Small or Large Tear in the Khuffayn or What Is Worn on the Feet 243

Issue: The Khuffān are Cut Below the Ankles 244

Issue: Wearing the Khuffayn Upon Purity, Then Removing One of Them Without the Other 245

Issue: Wiping Over What is on the Feet and Then Removing Them 246

Issue: Intentionally Wearing Khuffayn While In a State of Ṭahārah In Order to Wipe Over Them 246

Issue: Wiping While Resident, Then Traveling Before or After a Day and a Night Pass **247**

Issue: Wiping Over the Khuffayn and What Is Worn on the Feet on Upper Part or Under **249**

Issue: Wearing Something on the Feet that Can be Wiped Over While Not in a State of Ṭahārah **250**

TAYAMMUM **251**

Issue: From Among the Sick, Only the One Who Cannot Find Water Can Do Tayammum **251**

Issue: The Ruling is the Same no Matter the Circumstance. **252**

Issue: What is Illness? **252**

Issue: A Healthy Person as a Resident Can Perform Tayammum if Unable to Use Water **252**

Issue: The Travel for Which Tayammum is Permissible **254**

Issue: When Water is Nearby, But He Fears Losing His Supplies or Missing the Group **256**

Issue: When Someone is at a Well He Can See During Travel But Fears Missing His Group **256**

Issue: Water Was in his Luggage, But He Forgot, or There Was a Nearby Well He Was Unaware O. **256**

Issue: Every Invalidator of Wuḍūʾ Invalidates Tayammum **257**

Issue: Tayammum is Invalidated by the Presence of Water **257**

Issue: If Water is Found After Prayer, Must It Be Repeated or Not? 258

Issue: A Sick Person Permitted Tayammum Even in the Presence of Water 260

Issue: The One with Tayammum Can Pray as Many Prayers as They Want 261

Issue: Tayammum is Permissible Both Before and During the Prayer Time 262

Issue: A Person Had Water in His Baggage But Forgot It, so He Performed Tayammum and Prayed. 263

Issue: He is On The Sea While the Ship is Sailing and Wants to Pray 263

Issue: He Only Finds Water From Which He Fears Harm to Himself 264

Issue: The One Who Has No Water is Not Obligated to Buy it For Wuḍūʾ or Ghusl 264

Issue: He Has Only a Little Water Sufficient for Drinking, and He Wants to Pray 266

Issue: He Has a Little Water Enough for Wuḍūʾ and He is in a State of Janābah. 266

Issue: Someone in a State of Janābah With No Water At All 267

Issue: He Is Imprisoned or Crucified, Unable to Find Earth or Water, and The Prayer Time Arrives 268

Issue: The One Who is Traveling or Sick and Has No Water With Him 270

Issue: The One Who Performs Tayammum Leading Those Who Performed Wuḍūʾ, and Otherwise 271

Issue: The Junub, Menstruating Woman, and Anyone Obligated to Perform Ghusl Can Perform Tayammum 272

Issue: The Description of Tayammum for Janābah, Ḥayḍ, Every Wājib Ghusl, and Wuḍūʾ 274

Issue: If a Deceased Person Lacks Water 280

Issue: Tayammum is Only Allowed With Earth 281

Issue: In Tayammum, Must the Hands Precede the Face? 284

MENSTRUATION 285

Issue: Menstruation 285

Issue: If Her Husband or Master Wishes to Have Intercourse With Her After She Has Purity 289

Issue: Does a Menstruating Woman Make Up Missed Prayers? 293

Issue: Menstruating Within the Prayer Times 293

Issue: Is a Man Allowed to Enjoy Intimacy With His Menstruating Wife Without Intercourse? 294

Issue: The Blood of Postnatal Bleeding (Nifās) Prevents What the Menstrual Blood Prevents 301

Issue: It is Permissible For The Menstruating Woman and The Woman in Postnatal Bleeding to Marry and To Enter the Mosque 301

Issue: The Ruling on Intercourse with a Menstruating Woman304

Issue: Blood Seen By a Pregnant Woman Who Did Not Yet Give Birth To Her Last Child 306

Issue: An Old Woman Sees Menstruational Blood 306

Issue: The Shortest and Longest Duration of Menstruation 308

Issue: There is No Limit For the Least Duration of Ṭuhr and Also No Limit For the Longest Duration 314

Issue: There is No Limit For Nifās 316

Issue: When a Young Girl First Sees Menstrual Blood 317

Issue: Fiṭrah 321

Issue: Eating, Performing Wuḍūʾ and Ghusl in Vessels of Brass, Copper, or Ruby 325

Issue: One Unable to Wash Certain Body Parts in Ṭahārah 325

Issue: The One Who Doubts the Status of Water 326

Purification

Issue: Wuḍūʾ for Prayer is Obligatory, and Prayer is not Valid Without it for the One Who Has Access to Water.

Its origin is the statement of Allāh, "O you who believe, when you rise to pray, wash your faces and your hands up to the elbows, and wipe your heads and (wash) your feet up to the ankles." [al-Māʾidah: 6]

Issue: Wuḍūʾ is Not Valid Without the Intention of Purifying for Prayer

Wuḍūʾ is not valid except with the intention of purification for ṣalāh obligatory and voluntary. One of them does not suffice without the other, nor is one specific ṣalāh valid without it.

The evidence for this is the mentioned verse, because Allah did not order wuḍūʾ in it except for ṣalāh in general. He did not specify a ṣalāh over another, so it is not allowed to specify (make takhṣīṣ of) it nor is it valid for other than what Allāh ordered.

Abū Ḥanīfah said, "Wuḍūʾ and ghusl are valid without intention, and valid with the intention of cooling off or cleansing."[1]

Their argument is that they say, "He was only ordered to wash his body or these limbs, and he has done with that what he was ordered to do."

They also say, "We draw qiyās for this with the ruling of removal of najāsah, because that is valid without intention."

They also say, "Tayammum is not valid except with intention."

[1] Al-Awsaṭ 1/154

As for their argument that he was only ordered to wash his body or these limbs and he has by that done what he was ordered to do, this is false. Instead, he is only ordered to wash them with the intention of performing the action that ordered Allāh in that.

Allah said, "And they were not ordered except to worship Allah, making the religion purely for Him." [al-Bayyinah: 5]

So Allah the Almighty negated that He ordered us with anything except as worship (ʿibādah) for Him, making our intentions only for His religion which He ordered us with. With this verse, He encompassed all the actions of the Sharīʿah entirely.

ʿUmar ibn al-Khaṭṭāb narrated, "I heard the Messenger of Allah ﷺ say: 'Actions are only by intentions, and every person will have only what he intended.'"[2]

This narration is authentic, ʿAlqamah ibn Waqqāṣ al-Laythī is a companion[3].

So this is also general for every action, and it is not allowed to make takhṣīṣ of it to some actions and not others without evidence.

As for their qiyās between wuḍūʾ and ghusl to the removal of najāsah, it is false, because qiyās is entirely false.

And even if qiyās would be valid, this would still be the essence of falsehood for many reasons, among them is to say: Your qiyās for wuḍūʾ and ghusl from the ruling of removal of najāsah is not earlier than your qiyās between that and tayammum, which is also wuḍūʾ in some situations. Just as you made for tayammum qiyās to wuḍūʾ in some cases such as the requirement to wipe up to the elbows then why did you not draw qiyās from wuḍūʾ to tayammum in that it is not valid except with an intention, as both are purifications for ṣalāh?

If they say, "Indeed, Allah said: 'Then perform tayammum with clean earth' [al-Nisāʾ: 43] and He did not say that about wuḍūʾ."

We say: Yes, and so what? In the same manner, Allah said, "When you rise to the prayer, then wash [your faces]," [al-Māʾidah: 6]

---

[2] Ṣaḥīḥ al-Bukhārī 1: Ṣaḥīḥ

[3] Tahdhīb al-Tahdhīb 7/281

so it is established that that washing does not suffice except for prayer, by the naṣṣ of the verse.

And the second is that their claim that washing najāsah suffices without niyyah is false and not as they said. Instead, every purification from impurity which Allah has ordered in a specific manner is not valid except with niyyah and upon that specific description, because of the saying of the Messenger of Allah, "Whoever performs an action that is not upon our order, then it is rejected."

And every najāsah for which there is no order with a specific description, then what is only obligatory upon the people is that they pray without najāsah upon their bodies, or in their garments, or in the place of their prayer. So if they pray in such a condition, then they have done what they were ordered to do.

So the corruption of their argument is apparent, and the severeness of their contradiction in making a difference between wuḍūʾ and ghusl, and between tayammum, prayer and other acts without any decisive evidence. And their differing about a junub person immersing himself in a well, as we have mentioned, without any evidence.

And some of them said: "If wuḍūʾ would require niyyah, then niyyah would require niyyah, and in that manner forever."

We say to them: This implies against you regarding what you have obligated of niyyah for tayammum and for prayer, and it is impossible, because the niyyah which is ordered is only ordered for itself, because it is the intent toward what has been ordered, and nothing more.

Issue: Performing Wuḍūʾ Before and After the Prayer Times

Performing wuḍūʾ before or after the prayer time is valid.

Some people have said, "Wuḍūʾ and tayammum are only valid after the prayer time has entered."

Others said, “Wuḍūʾ is valid before the time, but tayammum is not valid except after the time has entered.”

Others said, “Both wuḍūʾ and tayammum are valid before the time.”

Those who say that wuḍūʾ and tayammum are not valid except after the prayer time has entered used as evidence the saying of Allāh, “When you rise to the prayer, then wash your faces and your hands up to the elbows, and wipe your heads and your feet up to the ankles. And if you are in a state of major impurity, then purify yourselves. But if you are ill or on a journey, or one of you comes from the toilet, or you have touched women and find no water, then perform tayammum with clean earth and wipe your faces and your hands with it.” [al-Māʾidah: 6]

This is not a ḥujjah for them. Instead, it is a clear ḥujjah against them. Because Allah did not say: “When you rise to perform an obligatory prayer,” He also did not say: “When the time for an obligatory prayer enters and you rise to it.”

Instead, He said, “When you rise to the prayer.” [al-Māʾidah: 6] So Allāh made it general and did not specify. And the prayer can be both obligatory and voluntary without disagreement.

And the people of the earth have concurred that voluntary prayers are not valid except with purification (ṭahārah) from wuḍūʾ, tayammum, or ghusl.

So it is obligatory by naṣṣ of the verse, that when a person intends to perform either an obligatory or voluntary prayer and rises to it, he must perform wuḍūʾ, or ghusl if he is junub, or tayammum if he is among the people of tayammum, then he can pray. That is the naṣṣ of the verse with certainty.

So when a person completes his ghusl, or his wuḍūʾ, or his tayammum, then he is purified without doubt.

And as his ṭahārah has been established, it is permissible for him to allow an interval between his purification and the prayer he

intends to perform, whether that interval is from walking, speaking, or any action.

Because the verse does not oblige a direct connection between purification and the prayer, not by its naṣṣ and also not by dalīl.

And as it is permissible for there to be an interval between his purification and his prayer, then it is likewise permissible for that interval to extend as long as there is no prohibition from the Qurʾān or Sunnah preventing its continuation.

That interval continues up until the end of the obligatory times. As for voluntary (taṭawwuʿ) prayers, then for as long as he wishes.

So it has been established by naṣṣ of the verse that it is permissible to purify through ghusl, wuḍūʾ, or tayammum before the time of the obligatory prayer.

And by the naṣṣ of the verse that nothing of that can be except with niyyah for the prayer only nothing more.

Another evidence is that prayer is valid without difference the beginning of its time. As that is the case, then such a prayer cannot be valid except if the purification for it had already been validated before that. This results with no other way that it is permissible to perform all of these acts of purification before the beginning of the prayer time.

Another decisive evidence is what Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'Whoever performs ghusl on the day of Jumuʿah with the ghusl of janābah, then goes [early to the masjid], it is as if he has offered a camel. And whoever goes in the second hour, it is as if he has offered a cow. And whoever goes in the third hour, it is as if he has offered a ram. And whoever goes in the fourth hour, it is as if he has offered a chicken. And whoever goes in the fifth hour, it is as if he has offered an egg. When the Imām comes out, the angels are present, listening to the reminder."[4]

So this is clear naṣṣ on the permissibility of performing wuḍūʾ or tayammum for prayer before the entry of its time, because the imām

[4] Ṣaḥīḥ Muslim 850: Ṣaḥīḥ

on the day of Jumuʿah must with no other way come out either before the time has entered or after it. In either case, the one who heads out from early in the day has without doubt performed purification before the time of Jumuʿah. And the Messenger of Allah ﷺknew that among those heading to Jumuʿah were people who had done tayammum while travelling, and those who had done wuḍūʾ.

As for those who distinguish between the permissibility of wuḍūʾ before the time and the permissibility of tayammum before the time, and prohibit that, they claim that the ruling of the verse obliges that all of this must be after the time has entered, and they claim that the permissibility of wuḍūʾ before the time has been abrogated by that the Messenger of Allah ﷺ on the day of Fatḥ prayed all the prayers with one wuḍūʾ[5].

This is not a ḥujjah for them, because there is nothing in that narration indicating that the Messenger of Allah ﷺ performed wuḍūʾ only before the entry of the prayer time. It is possible that he performed wuḍūʾ after the time had entered, and then continued to pray with that same state of ṭahārah as long as it was not invalidated.

So as this is a possible, then there is no evidence in this narration for the permissibility of performing wuḍūʾ before the entry of the time.

And with Allah Most High is success.

Issue: Combining the Intention of Ṭahārah with the Intention of Cooling Off

If someone mixes with the intention of ṭahārah for ṣalāh an intention for cooling off or anything else besides that, then the ṣalāh is not valid with that wuḍūʾ.

[5] Ṣaḥīḥ Muslim 277, 86: Ṣaḥīḥ

The decisive evidence for that is the statement of Allah, “And they were not ordered except to worship Allah, making the religion solely for Him, upright.” [al-Bayyinah: 5]

So whoever mixes into the intention which he was ordered with, an intention he was not ordered with, then he has not made his worship sincerely for Allah by that in his religion. And as he was not sincere, then he has not fulfilled the wuḍūʾ that Allah ordered him with.

If he intended along with his wuḍūʾ for ṣalāh to teach wuḍūʾ to someone present, then his ṣalāh is valid with it, because teaching the people their religion is something that is ordered.

And with Allah Most High is success.

Issue: The Intention is Only Valid Before Starting the Wuḍūʾ or any Other Act

The intention is not valid in that nor in any other acts except before beginning the wuḍūʾ or any act, except if it is connected to the start of that act without any time separating the intention and the beginning, short or long.

The decisive evidence for this is that since it is established that the niyyah (intention) is an obligation for an act, it obliges that nothing of it can be separate from the act. And if the niyyah is not as we have described, then it is either that there would be a time separating the intention from the act, so the act would he without intention. Because if it would be permitted for even a minute to come between the intention and the act, then it would also be permissible for two minutes, or three, or four and so on, until it reaches tens of years.

Or it would be alongside the intention, then the beginning of the act would be without an intention accompanying it, because the intention is the purpose with action and will to it which Allah has obligated in that act. And this cannot exist except as something

believed and resolved before the act and with it, as we have mentioned. And with Allah is success.

Issue: The One Who Immerses the Limbs of Wuḍū Into Water While Intending Wuḍūʾ

Whoever immerses the limbs of wuḍūʾ into water and intends by that to perform wuḍūʾ for ṣalāh, or stands beneath a pipe in which water spouts until the water reaches and covers all the limbs and intends by that wuḍūʾ for ṣalāh, or pours water over the limbs of wuḍūʾ for ṣalāh, or a person pours water over the limbs of wuḍūʾ while he intends by that to perform wuḍūʾ for ṣalāh then it is sufficient for him. The decisive evidence for this is that the word ‘ghasl’ applies to all of that in the language in which the Qurʾān is revealed. And whoever claims that the word ‘ghasl’ only applies to washing with rubbing (tadalluk) by the hand has made a claim without any decisive evidence.

Issue: Reciting the Qurʾān, Prostrations in it, and Touching the Muṣḥaf

Reciting the Qurʾān, prostrations in it, touching the muṣḥaf, and remembering Allah are all permitted, all of that, with wuḍūʾ or without it, and also the junub and the menstruating woman.

The decisive evidence for this is that recitation of the Qurʾān, prostrations in it, touching the muṣḥaf, and remembering Allah are all virtuous deeds encouraged and rewarded. So, whoever claims they are prohibited in some cases is obliged decisive evidence which does not exist.

As for the recitation of the Qurʾān, there is no evidence for anyone who claims the obligation of wuḍūʾ for touching the muṣḥaf or reciting the Qurʾān.

A group said, “The menstruating woman and the junub must not recite anything from the Qurʾān.”

Another group said, “As for the menstruating woman, she can recite as much of the Qurʾān as she wishes. As for the junub, he may recite two verses or similar to that.”[6]

As for those who prohibited the junub from reciting anything from the Qurʾān, they used as evidence what ʿAlī ibn Abī Ṭālib narrated, “The Messenger of Allah ﷺ would not be prevented from reciting the Qurʾān by anything except janābah.”[7]

This is weak as ʿAmr ibn Murrah heard from ʿAbdullah ibn Salimah after his memory became worse[8].

And this is not a ḥujjah for them because there is not in it a prohibition against the junub reciting the Qurʾān. It is only an action of the Prophet ﷺ, and actions do not oblige. And the Prophet ﷺ did not clarify that he refrained from reciting the Qurʾān because of janābah.

And it is possible that he refrained from reciting in that state not because of janābah. And he ﷺ never fasted an entire month other than Ramaḍān[9], he never exceeded thirteen rakʿahs in night prayer[10], he never ate on a table[11], and he never ate while reclining[12]. Is it then prohibited to fast a complete month other than Ramaḍān, and praying more than thirteen rakʿahs at night, or eating at a table or while reclining? And this is not what they say. And the likes of this are very many.

Narrations have come prohibiting the junub and those not in a state of ṭahārah from reciting the Qurʾān and nothing of that are authentic.

---

[6] Al-Nawādir wal-Ziyādāt 1/123-124

[7] Sunan Abī Dāwud 229: Ḍaʿīf as clarified

[8] Ikmāl Tahdhīb al-Kamāl 7/386

[9] Ṣaḥīḥ al-Bukhārī 1971: Ṣaḥīḥ

[10] Ṣaḥīḥ al-Bukhārī 1140, 1141: Ṣaḥīḥ

[11] Ṣaḥīḥ al-Bukhārī 5386, 5415: Ṣaḥīḥ

[12] Ṣaḥīḥ al-Bukhārī 5398: Ṣaḥīḥ

And even if these narrations would be authentic, they would be a ḥujjah against those who permit the recitation of a full verse or part of it because all those narrations prohibit the junub from reciting the Qurʾān in general.

As for those who say that the junub may recite a verse or part of a verse, or say that he must not complete the verse, or permit the menstruating woman but prohibit the junub, then all of these sayings are false, mere claims without any evidence, not from the Qurʾān, nor from any authentic or weak narration.

Because a part of a verse and a full verse are without doubt both Qurʾān. There is no difference between permitting one verse over another, or prohibiting one verse over another.

And also among the verses are that are one word only, such as, "By the morning brightness." [al-Ḍuḥā: 1]

And, "Two dark green [gardens]." [al-Raḥmān: 64]

And, "By the declining day." [al-ʿAṣr: 1]

And, "By the dawn." [al-Fajr: 1]

And among the verses are those with many words, like the verse of debt in al-Baqarah: 282. So as there is no doubt in this matter.

Them permitting to recite the verse of debt, and what follows it, or Āyat al-Kursī or part of it without completing it, while prohibiting him from reciting, "By the dawn, and [by] the ten nights and, [by] the even [number] and the odd" [al-Fajr: 1-3]

Or forbidding him from completing, "Dark green," [al-Raḥmān: 64] is a wonder.

And likewise is them making a difference between the menstruating woman and the junub, claiming that the duration of menstruation is long. This is impossible because if her reciting the Qurʾān is ḥarām, then the long duration does not make it permissible for her. And if it is ḥalāl for her, then there is no meaning in using the length of time as an argument.

As for the prostration of recitation (sujūd al-tilāwah): It is not a ṣalāh (prayer) at all. Ibn ʿUmar narrated that Messenger of Allah ﷺ said, "The prayer of night and day is two by two."[13]

ʿAlī al-Azdī is ʿAlī ibn ʿAbd al-Bāriqī, he is a thiqah, ibn Ḥazm made tawthīq of him[14].

And it has been authentically narrated from him ﷺ that he said, "Witr is one rakʿah at the end of the night."[15]

So it is established that whatever is not a complete rakʿah or two rakʿahs or more is not a ṣalāh. And the prostration during recitation of the Qurʾān is not a rakʿah nor two rakʿahs, so it is not a ṣalāh. And as it is not ṣalāh, it is then permissible without wuḍūʾ, and also permissible for the one in a state of janābah, for the menstruating woman, and in a direction other than the qiblah like any other type of dhikr without difference. As wuḍūʾ is not obligatory except for the ṣalāh only. As there is no verse, or authentic Sunnah that establishes the obligation of wuḍūʾ for anything other than ṣalāh.

And if it is said, "But sajdat al-tilāwah is part of ṣalāh, and part of ṣalāh is a ṣalāh."

We say and with Allah is success: This is false, because some part of ṣalāh cannot be ṣalāh except if it is completed by the one praying as it is ordered.

If a man were to begin the prayer by saying the takbīr and then bow (rukūʿ), then stop there, no one from the people of Islam m say that he has prayed anything at all. Instead all of them say that he has not prayed.

And if he completes one rakʿah in witr or two rakʿahs in Jumuʿah, Ṣubḥ, travel, or voluntary prayers then he would have performed ṣalāh, without any disagreement.

Then we say to them: Standing (qiyām), the takbīr, the recitation of Sūrat al-Fātiḥah, the sitting (julūs), and the taslīm are all

---

[13] Al-Mujtabā 1666: Ṣaḥīḥ

[14] Al-Muḥallā 1/398

[15] Ṣaḥīḥ Muslim 752: Ṣaḥīḥ

parts of ṣalāh. So you are implied by this not to allow anyone to say anything of it, neither takbīr nor recitation of al-Fātiḥah nor sitting nor taslīm except with wuḍūʾ. And this is something they do not say, so their argument is invalidated. And with Allah is success.

If they then say, "This is by ijmāʿ," we say: Then you have acknowledged with the validity of ijmāʿ the falsehood of your own ḥujjah and ʿillah. And with Allah is success.

As for touching the muṣḥaf, the narrations which those who do not allow a person in janābah from touching it use as evidence, none of them are authentic.

The narration attributed to the Prophet ﷺ, "No one touches the Qurʿān except the Ṭāhir."

This is narrated by six ṭuruq, by al-Dārimī ʿAbd Allāh ibn ʿAbd al-Raḥmān, Abū Dāwūd al-Sijistānī, ʿAmr ibn Manṣūr, al-Ḥasan ibn Sufyān, Abū Yaʿlā al-Mawṣilī, and Ḥāmid ibn Muḥammad, all of them up to al-Ḥakam ibn Mūsā —» Yaḥyā ibn Ḥamzah —» Sulaymān ibn Dāwūd al-Khawlānī —» al-Zuhrī —» Abū Bakr ibn Muḥammad ibn ʿAmr ibn Ḥazm —» his father —» the Prophet[16].

This is weak as Sulaymān ibn Dāwūd al-Khawlānī is weak.

And also narrated by three, Abū Hubayrah, Muḥammad ibn Bakkār, and the uncle of Hārūn ibn Muḥammad, all of then up to Yaḥyā ibn Ḥamzah —» Sulaymān ibn Arqam —» al-Zuhrī —» Abū Bakr ibn Muḥammad ibn ʿAmr ibn Ḥazm —» his father —» his grandfather —» the Prophet ﷺ[17].

This is weak because of the weakness of Sulaymān ibn Arqam .

And others are mursal as in them Abū Bakr ibn Muḥammad ibn ʿAmr ibn Ḥazm attributes them to the Prophet ﷺ[18].

[16] Al-Musnad al-Muṣannaf al-Muʿallal 23/70: Ḍaʿīf as clarified

[17] Al-Musnad al-Muṣannaf al-Muʿallal 23/71: Ḍaʿīf as clarified

[18] Al-Muṣannaf of ʿAbd al-Razzāq 1328: Ḍaʿīf as clarified

And there are other ṭuruq about this narrated about the Prophet ﷺ[19] with clear disconnection anyone with eyes can see.

And also what Al-Zuhrī narrates about him finding this in the Ṣaḥīfah Abū Bakr ibn Muḥammad ibn ʿAmr ibn Ḥazm[20]: it has clear inqiṭāʾ. And other weaknesses in them is Suwayd ibn Ibrāhīm al-Jaḥdarī[21].

What is authentic is only what Abū Sufyān narrated that he was with Heraclius, and Heraclius called for the letter of the Messenger of Allah ﷺ which he had sent with Diḥyah to the chief of Busra, and it was handed to Heraclius, who then read it. It contained, "In the name of Allah, the Most Merciful, the Most Compassionate. From Muḥammad, the slave and Messenger of Allah, to Heraclius, the leader of the Romans: Peace be upon those who follow guidance. To proceed: I invite you with the invitation of Islam. Accept Islam and you will be safe, and Allah will give you your reward twice. But if you turn away, then upon you is the sin of the Arīsiyyīn. 'Say: 'O People of the Scripture, come to a word that is equitable between us and you - that we will not worship except Allāh and not associate anything with Him and not take one another as lords instead of Allāh.' But if they turn away, then say, 'Bear witness that we are Muslims [submitting to Him].'' [Āl ʿImrān: 64]"[22]

So, this is the Messenger of Allah ﷺ sending a letter containing this verse to the Christians, while he ﷺ is certain that they would touch this letter.

If they mention what ʿUmar narrated, "The Prophet ﷺ used to prohibit travelling with the Qurʾān to the land of the enemy, fearing that it would fall into their hands."[23]

---

[19] Al-Muwaṭṭaʾ bi Riwāyah Abī Muṣʿab 234 | Al-Marāsīl 92, 260: Ḍaʿīf as clarified

[20] Al-Marāsīl 94: Ḍaʿīf as clarified

[21] Al-Mustadrak 3/484: Ḍaʿīf as clarified

[22] Ṣaḥīḥ al-Bukhārī 7: Ṣaḥīḥ

[23] Ṣaḥīḥ al-Bukhārī 2990: Ṣaḥīḥ

Then this is the truth that must be followed. And there is not that a person in janābah without wuḍūʾ cannot touch the muṣḥaf. There is only in it the prohibition that the people of the land of war must not take possession of the Qurʾān, nothing more.

If they claim: "The Messenger of Allah ﷺ only sent one verse to Heraclius."

It is said to them: He did not prohibit sending more than that, and without this Ḥadīth there would still be no prohibition upon the junub and one without wuḍūʾ from touching the muṣḥaf then how about a narration permitting it and not specifying the amount.

If they mention the saying of Allah, the Exalted, "In a well-protected book, none touch it except the purified." [al-Wāqiʿah: 78]

Then this is not a ḥujjah for them because it is not an order, it is only a khabar, and Allāh does not say except the truth, and it is not allowed to change the wording of a khabar to the meaning of an order except with a clear naṣṣ.

So as we see that the muṣḥaf is touched by the Ṭāhir and non-Ṭāhir we know that Allāh did not mean the muṣḥaf but another book

And also the verses, "Indeed, it is a noble Qur'ān. In a Book well-guarded Which no one touches it except those made pure." [al-Wāqiʿah: 79] In it, the noun (ḍamīr) that is the farthest away is the Qurʿān, while the closest noun to "touches it" is the Book. Which is then without doubt the Lawḥ al-Maḥfūẓ and we cannot touch, and Allāh speaks nothing but the ḥaqq and what only remains then are the angels.

In both the Ḥadīth about only the Ṭāhīr that can touch the Qurʿān and the verse about no one touching it except those made pure, there is no indication in it for the prohibition of touching it without ṭahārah, or the junub or the menstruating women because Ṭāhir is mushtarak, it means free from najāsah, or free from minor ḥadath or free from major ḥadath. And in the same manner for, "Those made pure." And as that is the case it is mujmal and the mujmal cannot be used except if it is clarified, so we look at what clarified this mujmal

and find that it is the text that the Muslim is not najis as the Prophet said[24]. And Allāh said, "The mushrikūn are only najas." [9:28] So there is nothing except ṭāhir or najis. And applying the name najis to a muʿmin that is not free from janābah, menstruation and ḥadath and najāsah is invalid in the language, cannot occur as ḥaqīqah nor as majāz. And Allāh speaks nothing but the ḥaqq so we know that Allāh never meant that some Muslims can be called najis, so we are certain that Allāh and the Messenger of Allāh ﷺ only meant prohibiting the kāfir from touching the Qurʿān, not the muʿmin that is junub, menstruating or did ḥadath. And the narration about Heraclius in which was called to Islām is then specific for sending letters to rulers. And all of this is only if the verse would be an amr instead of a khabar and the noun would at the same time go back to the Qurʿān instead of the Book, and also if the Ḥadīth would be authentic, then how when none of that is the case.

Abū Ḥanīfah said, "There is no harm in the junub carrying the muṣḥaf by its strap, but he must not carry it without a strap."[25]

They claim this ruling as the same for the one without wuḍūʾ.

Mālik said, "A junub or the one who does not have wuḍūʾ must not to carry the muṣḥaf, neither by a strap nor on a cushion. But if it is in a bag or a chest, then there is no harm if a Jew, a Christian, a junub, or one who is not in a state of ṭahārah carries it."[26]

These are scattered rulings without any evidence, not from the Qurʾān, nor from the Sunnah.

And if a bag is a barrier between the carrier and the Qurʾān, then the pages and the back of the page are also barriers between the one touching and the Qurʾān, there is no difference between them. The issue is entirely resolved and all praise is for Allāh.

---

[24] Ṣaḥīḥ al-Bukhārī 285: Ṣaḥīḥ

[25] Mukhtaṣar Ikhtilāf al-ʿUlamāʾ 1/156

[26] Al-Mudawwanah 1/201

Issue: The Adhān and Iqāmah are Valid Without Ṭahārah, and Also in a State of Janābah

Likewise, the adhān and the iqāmah are valid even without ṭahārah, and in a state of janābah.

Mālik said, "The one who is not in a state of wuḍūʾ can say the adhān, and no one says iqāmah except the one with wuḍūʾ."[27]

This is a distinction for which id no evidence for its validity, not from the Qurʾān, nor from the Sunnah.

If it is said, "The iqāmah is directly connected to the ṣalāh."

It is said: and it may not happen that they are directly connected, and there may be a time between them long enough for one to make ghusl and wuḍūʾ, and an adhān can be connected to the iqāmah and prayer such as the maghrib prayer and others without difference.

And as no text has come obliging that adhān and iqāmah must not be except in a state of ṭahārah from janābah and others, then the saying obliging it is false. Because it is invention of a sharʾ not from the Qurʾān, the Sunnah, or ijmāʿ, and that is false.

If it is said, "It is authentically narrated that the Prophet ﷺ said: 'I disliked mentioning Allah except in a state of ṭahārah.'"[28]

This is authentic, Abū Sāsān is a thiqah[29]. And Aḥmad ibn Ṣāliḥ al-Baghdādī is also a thiqah[30]. And ʿAbd al-Aʾla is from the greatest narrators from Saʿīd and Saʿīd the greatest from Qatādah so ʿAbd al-Aʾla heard this before Saʿīd's ikhtilāṭ.

Then it is said to them: this is a dislike, not a prohibition. And this statement is a ḥujjah against you, not for you, because you allow the adhān, recitation of the Qurʾān, and remembrance of Allah without ṭahārah. And this is exactly the thing that is mentioned in the narration

---

[27] Al-Mudawwanah 1/159

[28] Sunan Abī Dāwud 17: Ṣaḥīḥ

[29] Tārīkh Dimashq of ibn ʿAsākir 14/398

[30] Mashaykhah al-Nasāʿī 10

as disliked, and you do not dislike it at all. So this narration is a greater ḥujjah against you than it is for you.

As for us, it is our saying: everything we have mentioned, it is according to us with ṭahārah better, and we do not dislike it being done without ṭahārah, because this dislike has been abrogated, as we will clarify if Allah wills.

Issue: It is Recommended for the Junub to Perform Wuḍūʾ if He Wishes to Eat or Sleep

It is recommended for the junub to perform wuḍūʾ when he wants to eat, sleep, respond to salām, or remember Allah . And that is not obligatory.

If it is said: "Why did you not make all of this obligatory, based on the statement of the Messenger of Allah ﷺ: 'Indeed, I disliked to mention Allah except while upon ṭahārah,'[31] and his ﷺ statement to ʿUmar ibn al-Khaṭṭāb (may Allah be pleased with him), when he mentioned to him that he would be overtaken by janābah at night, and the Messenger of Allah ﷺ said to him, 'Perform wuḍūʾ, wash your private part, then sleep,'[32] and based on what ʿĀʾishah (may Allah be pleased with her) narrated: 'When the Messenger of Allah ﷺ intended to eat or sleep while in a state of janābah, he would perform wuḍūʾ as he would for prayer.'"[33]

We say, and with Allah is success: As for the ḥadīth regarding the dislike of mentioning Allah except upon ṭahārah, then it is abrogated (mansūkh) by what ʿUbādah ibn al-Ṣāmit narrated that the Prophet ﷺ said, "Whoever awakens during the night and says: 'Lā ilāha illā Allāh, waḥdahu lā sharīka lah, lahu al-mulku wa lahu al-ḥamdu wa

[31] Sunan Abī Dāwud 17: Ṣaḥīḥ
[32] Ṣaḥīḥ al-Bukhārī 290: Ṣaḥīḥ
[33] Ṣaḥīḥ Muslim 305, 22: Ṣaḥīḥ

huwa ʿalā kulli shayʾin qadīr, al-ḥamdu lillāh, wa subḥānallāh, wa lā ilāha illā Allāh, wa-Allāhu akbar, wa lā ḥawla wa lā quwwata illā biLlāh, then says: 'Allāhumma ighfir lī,' or makes any supplication it will be answered. If he then performs wuḍūʾ and prays, his prayer will be accepted."[34]

There is ijmāʾ on the tawthīq of ʿUmayr ibn Hāniʾ.

And this is a permission to remember Allah after waking from sleep at night, even before wuḍūʾ. This is a virtue (faḍīlah), and virtues are not abrogated, because they are from the blessings of Allah upon us.

Allah said, "This day I have perfected for you your religion and completed My favor upon you." [al-Māʾidah: 3]

And this is a matter that remains, not abrogated without difference.

And Allah said, "Indeed, Allah does not change the condition of a people until they change what is in themselves." [al-Raʿd: 11]

This is an ʿumūm guarantee that will never be broken.

Allah also said, "Indeed, Allah does not break His promise." [Āl ʿImrān: 9]. And we are certain about what we mentioned earlier from the Prophet ﷺ when he said, "There will always remain a group from my Ummah upon the truth,"[35] that the entire Ummah will never change. And as it is authentically established that the entire Ummah will never change, then we are certain that Allah will never change His blessings from the Ummah. And all praise is for Allāh.

And as for his order ﷺ to perform wuḍūʾ it is recommended (nadb) because of what ʿĀʾishah narrates, "The Messenger of Allah ﷺ would sleep in a state of janābah and would not touch water."[36]

And this wording indicates that he ﷺ used to persistently do it, and she was the most last of people in contact with his sleep, how he would sleep while in a state of janābah and in a state of ṭahārah.

---

[34] Ṣaḥīḥ al-Bukhārī 1154: Ṣaḥīḥ

[35] Ṣaḥīḥ Muslim 1920, 170: Ṣaḥīḥ

[36] Sunan Abī Dāwud 228: Ṣaḥīḥ

If it is said, "This Ḥadīth is a mistake of Abī Isḥāq al-Sabīʾī because more reliable narrators have narrated this Ḥadīth differently as in the Ṣaḥīḥ of Muslim[37] and the narrations from Abī Isḥāq al-Sabīʾī have come with variations so we must abandon his narration and take from the more reliable ones. And also Abū Isḥāq had ikhtilāṭ at the end of his life."

We say: It is established that Abū Isḥāq al-Sabīʾī did not narrate to anyone after his ikhtilāṭ with the narrators of this Ḥadīth. And Muḥammad ibn Kathīr is a thiqah[38], anything that has been said about him does not discard him, they are invalid.

As for the claim that he had iḍṭirāb in this Ḥadīth, it is false because there is no contradiction in any of these narrations. As for the one in the Ṣaḥīḥ of Muslim there is in it that he washed himself after he woke up from sleep, there is nothing contradictory in this and there is also not in this any certainty that it was the exact same situation, time and place as the narration of Abū Isḥāq al-Sabīʾī so it is not iḍṭirāb. And as for the variations in Abū Isḥāq al-Sabīʾī's narrations, that only indicates that he ﷺ would do it in both manners, it is not at all a contradiction, it would only be a contradiction if it would not be possible to do it in both manners. But it is possible that he ﷺ performed at times wuḍūʾ and at times not. And we clarified in the greatest of detail in another place that making tarjīḥ of the greater thiqāt than the thiqāt is falsehood, a mere claim without decisive evidence. All of it must be taken except if there is clear iḍṭirāb which is not the case here so their claims collapses entirely.

And those who use qiyās are implied to say, "Since ṣalāh, which is a dhikr, is not valid except with wuḍūʾ, then all forms of dhikr must also not be valid except with wuḍūʾ."

But this is where they contradict and they cannot claim ijmāʿ in this matter,

---

[37] Ṣaḥīḥ Muslim 739

[38] Al-Irshād of al-Khalīlī 2/525

Except if a person in janābah wants to return to intercourse, then performing wuḍūʾ between the two acts is obligatory because of the ḥadīth from Abū Saʿīd al-Khuḍrī, that the Prophet ﷺ said, "When one of you approaches his wife and then wants to return (to intercourse), then let him perform wuḍūʾ between them." This is the wording of Ḥafṣ ibn Ghiyāth[39].

And the wording of Ibn ʿUyaynah is: "If he wants to return, then let him not return until he performs wuḍūʾ."[40]

And for this narration, there does not exist what specifies it or what takes it away from obligation to mere recommendation (nadb), except a weak narration from the riwāyah of Yaḥyā ibn Ayyūb.

Issue: Removing Impurity and Everything that Allah The Exalted Ordered to be Removed is an Obligation

The removal of najāsah and everything that Allah the Exalted ordered to be removed, is an obligation. This masʿalah is divided into many categories, all of which are gathered by that everything which Allah the Exalted ordered to avoid on the tongue of His Messenger ﷺ, or for which there is a naṣṣ indicating its prohibition, or He has ordered likewise to wash or wipe it, all of that is obligatory, and whoever withholds it is sinful, based on what we have already mentioned: that obedience to Allah the Exalted and His Messenger ﷺ is obligatory. And with Allah the Exalted is success

[39] Ṣaḥīḥ Muslim 308, 27: Ṣaḥīḥ

[40] Ḥadīth of al-Sarrāj 1480

Issue: The Manner of Purifying Impurity Found on What is Worn on the Feet Below the Ankle Specifically

As for that which is on the feet, below the ankle from blood, khamr, feces, urine, or other than that, then their purification is by wiping them, until the trace is removed, then one can pray in them. If one washes them, it suffices, using soil is not obligatory.

The evidence for this is that all we mentioned of blood, khamr, feces, and urine is ḥarām, and avoiding what is ḥarām is obligatory, there is no disagreement on this.

Abū Saʿīd al-Khudrī narrated, "The Prophet ﷺ was praying with his companions, and he removed his sandals and placed them to his left. So the people removed their sandals. When he completed the prayer, he said: 'Why did you remove your sandals?' They said: 'We saw you remove yours, so we removed ours.' He said: 'Jibrīl came to me and informed me that there was filth on them.' He ﷺ said: 'If one of you comes to the prayer, let him look at his naʿl (what is worn on the feet under the ankles). If there is filth or adha (najāsa) on them, then let him wipe it, and let him pray in them.'"[41]

Abū Naʿāmah ʿAbd Rabbih al-Saʿdī is a thiqah and also Abū Naḍrah is al-Mundhir ibn Mālik al-ʿAbdī.

As for the Ḥadīth about it also applying to what is worn on the feet that reaches above the ankles as Abū Hurayrah narrated that the Prophet ﷺ said, "Whoever steps in adha (najāsah) with his two khuffain (what he wears on his feet beyond his ankles), their purification is with soil."[42]

This is weak because of the weakness of Muḥammad ibn Kathīr ibn Abī ʿAṭāʾ al-Ṣanʿānī, so the ruling only applies to anything worn on the feet below the ankle and soil is not obligatory.

---

[41] Sunan Abī Dāwud 650: Ṣaḥīḥ

[42] Sunan Abī Dāwud 386: Ḍaʿīf as clarified

Washing (ghasl) with water or other than it, the word wiping (masḥ) falls under it. It can be said: "I wiped (masḥ) something with water or with oil." So every ghasl is masḥ (wiping), but not every wiping is washing (ghasl).

Al-Shāfiʿī said, "The removal of najāsah, wherever it may be, is not valid except with water, except for human feces in the place of sitting (the anus) specifically, and urine in the urethra specifically, these two can be removed with other than water."[43]

And in this place they abandoned most texts as we have mentioned in this chapter and elsewhere, and they did not make qiyās of other najāsah with the najāsah found in the anus and urethra, while these two are the origin of najāsāt. And this is opposition to the mentioned texts.

Issue: Purifying the Front and Rear Private Parts from Urine, Feces, and Blood

Purifying the front and rear private parts from urine, feces, and blood for both men and women is only valid with water until the trace is removed, or with three different stones. If it is not cleaned then he must continue using an odd number of stones until purification occurs, no less than that is sufficient and none of them must have feces on them. It is also valid with soil or sand, without a specific number, but only that which removes the trace. And it is not valid for anyone to perform istinjāʾ with their right hand, and also not while facing the Qiblah. If he begins with the exit point of urine, those same stones suffice for the exit point of feces. But if he begins with the exit point of feces, those stones do not suffice for the urine exit except what does not have feces on them only.

[43] Al-Umm 1/123

Salmān al-Fārisī narrated, “The polytheists said to us: ‘Indeed, we see that your companion teaches you everything, even how to relieve yourselves!’ So Salmān said: ‘Indeed! He forbade us from cleaning ourselves with our right hand, or while facing the Qiblah, and he forbade us from using dung or bones. And he said, ‘None of you should use fewer than three stones.’’”[44]

And also from Salmān al-Fārisī, he narrated that some of the polytheists said to him: “Indeed, I see that your companion teaches you even how to relieve yourselves.” He replied: “Yes. We were ordered not to face the Qiblah, nor to clean ourselves with our right hands, nor to suffice with fewer than three stones that do not have feces or bones among them.”[45]

Also from Salmān al-Fārisī, “The Messenger of Allah ﷺ forbade us from facing the Qiblah for defecation or urination, and from cleaning ourselves with our right hands, and from using fewer than three stones.”[46]

Isḥāq ibn Ibrāhīm is ibn Rāhūyah.

And Abū Hurayrah narrated, “The Messenger of Allah ﷺ said: ‘And when you use stones (to clean), use an odd number.’”[47]

And Anas ibn Mālik narrated, “The Messenger of Allah ﷺ would enter the lavatory, and I and a boy would carry a water vessel and a short spear. He would do istinjāʾ of himself with water.”[48]

And Abū Hurayrah narrated, “The Messenger of Allah ﷺ said: ‘The earth has been made for me a purifier and a place of prostration.’”[49]

It was also narrated through Jābir from the Prophet ﷺ[50].

---

[44] Ṣaḥīḥ Muslim 262, 57: Ṣaḥīḥ

[45] Sunan ibn Mājah 316: Ṣaḥīḥ

[46] Al-Sunan al-Kubra 40, 1/87: Ṣaḥīḥ

[47] Al-Muwaṭṭaʾ bi Riwāyah Abī Muṣʿab 46, 1/22: Ṣaḥīḥ

[48] Ṣaḥīḥ al-Bukhārī 152: Ṣaḥīḥ

[49] Ṣaḥīḥ Muslim 523, 5: Ṣaḥīḥ

[50] Ṣaḥīḥ al-Bukhārī 335: Ṣaḥīḥ

Abū Ḥanīfah and Mālik said: “Whatever a person uses to cleanse himself, without number, if it achieves purity, then it suffices.”[51]

This is opposition to the order of the Messenger of Allah ﷺ, because he prohibited anyone from sufficing with fewer than three stones and he ordered to use an odd number when performing istijmār.

And it is not known anything they can cling unto we know of no basis for their view except that they mentioned a narration in which ʿUmar used to have a bone or a stone by which he would perform istinjāʾ, then perform wuḍūʾ and pray. And this is not a ḥujjah because it is not from the Prophet ﷺ. And they have opposed ʿUmar in other matters like wiping over the ʿimāmah other issues. And ʿUmar is also opposed by others in this by Salmān and others from the companions. Then how when there is no ḥujjah in anyone other than the Messenger of Allah ﷺ.

If it is said: “His ﷺ order to use three stones applies to both feces and urine together, so for each of them occurs less than three stones.”

We say: This is false, because the text has come not to perform istinjāʾ with less than three stones, and wiping urine is not called istinjāʾ. So the text about istinjāʾ from defecation establishes fewer than three stones is not sufficient to urine as well, showing that less than three stones does not suffice for either feces or urine. So what we have said is established.

As for wiping urine with the right hand or while facing the qiblah, that is permissible, because the prohibition does not apply in those cases. The prohibition was about istinjāʾ only.

And if they mention a ḥadīth narrated musnad by ibn akhī az-Zuhrī, that the Messenger of Allah ﷺ said, “If one of you relieves himself, let him wipe three times.”[52]

---

[51] Mukhtaṣar al-Ṭaḥāwī pg. 18

Al-Mudawwanah 1/117-118

[52] Al-Awsaṭ of al-Ṭabarānī 1696, 2/195: Ḍaʿīf as clarified

This is weak because of the weakness of Muḥammad ibn ʿAbdullah ibn Akhī al-Zuhrī[53]. And Yaḥyā ibn ʿAlī ibn ʿAbd al-Ḥamīd al-Kinānī, the father of Muḥammad is majhūl.

Even if it would be authentic, there would be no ḥujjah in it, because the ḥadīth does not mention that the three wipes were with one stone only as they claim, adding this is not permissible.

As for the one who says that the ḥadīth, "Whoever wipes with stones, let him use odd numbers," contradicts the ḥadīth of three stones.

We say: This is a false, instead every ḥadīth stands independently. So it does not suffice from the stones except three which do not have any traces of excrement remaining.

And for soil, any number suffices. As for anything else that is not called 'earth' it does not suffice for soil, except water.

And if there is najāsah on a stone that is not feces, then it suffices as no prohibition has come regarding it.

As for the Ḥadīth attributed to the Prophet ﷺ, "Whoever uses stones (to cleanse after relieving himself), let him do so with an odd number. Whoever does so has done well, and whoever does not, then there is no harm."[54]

This is weak as al-Ḥuṣayn al-Ḥimyarī al-Ḥubrānī and Abū Saʿd al-Khayr are majhūl

And if they mention the ḥadīth from the ṭarīq of Maʿmar ibn Rāshid —» Abū Isḥāq al-Sabīʿī —» ʿAlqamah ibn Qays —» Ibn Masʿūd, The Prophet ﷺ said, 'Bring me stones,' so I brought him two stones and a piece of dung, and he took the two stones and threw away the dung and said: 'It is filth.'"[55]

Then this is not a ḥujjah for them because there is not in the ḥadīth that the Prophet ﷺ sufficed with only two stones. It is instead it authentically established that he ﷺ ordered him to bring stones and the least amount for a plural is three, so the order must remain obliging.

---

[53] Al-Ḍuʿafāʾ al-Kabīr 1643, 4/88

[54] Sunan Abī Dāwud 35: Ḍaʿīf as clarified

[55] Musnad Aḥmad 4299, 7/326: Ḍaʿīf as clarified

And also this is weak because of tadlīs, as it is narrated through Abū Isḥāq al-Sabīʿī from ʿAlqamah ibn Qays while he did not hear this narration from him[56].

And if it is said, "He only prohibited bone and dung because they are food for our brethren among the jinn."

We say: Yes, so what? This instead obliges that the one performing istinjāʾ with either of them is sinning twice: Once, by opposing the text of the narration. And secondly, by making dirty the food of those whose food he was prohibited from making dirty and a sin does not suffice in the place of obedience

Issue: Purifying the Urine of Male, Female, Children and Adults

The purification of the urine of a non-adult girl must be washed, no water is sprinkled on it and water must be sprinkled on the urine of a boy. As for all other urine it must be removed with water as well but can be done by means of sprinkling, washing or pouring.

Abū al-Samḥ narrated, "I used to serve the Messenger of Allah ﷺ. Al-Ḥasan or al-Ḥusayn was brought to him, and he urinated on his chest. So he ﷺ called for water and sprinkled it upon the area, then said: 'Sprinkling is for a boy, and washing is for a girl.'"[57]

Umm Qays bint Miḥṣan narrated that she came with her small son who had not yet eaten food, and the Messenger of Allah ﷺ seated him on his lap. The boy urinated on the clothing of the Messenger of Allah ﷺ, so he ﷺ called for water and sprinkled it without washing it[58].

[56] Tuḥfah al-Taḥṣīl pg. 245

[57] Sunan Abī Dāwud 376: Ṣaḥīḥ

[58] Ṣaḥīḥ al-Bukhārī 223: Ṣaḥīḥ

And Anas ibn Mālik narrated, "The Messenger of Allah ﷺ saw a Bedouin man urinating in the masjid. So he called for water and poured it upon the spot."[59]

Specifying that the child ate food is not from the speech of the Messenger of Allah ﷺ.

Issue: Purification from Menstrual Blood or Any Kind of Blood

The purification of menstrual blood specifically, is by scraping it off, then doing qarṣ of it with water (pinch and rub (a stain) using the fingertips with water, in order to dissolve and remove it from the fabric) then sprinkling on it. And any other type of blood whether it is fish blood or others, if it is on clothing or body, then it is not purified except with water. And the blood of small creatures like insects, if it exists and blood from one's own body does not oblige purification except if washing it does not bring hardship on the person. So a person purifies such blood to the extent that it does not cause difficulty for them.

As for blood in general: ʿĀʾisha narrated, "Fāṭimah bint Abī Ḥubaysh came to the Prophet ﷺ and said: 'O Messenger of Allah, I am a woman who has istiḥāḍah, and I do not become pure. Should I stop praying?' He said: 'No, that is only a vein and not menstruation. So when menstruation comes, refrain from prayer, and when it ends, wash the blood off and pray.'"[60]

This is a general statement from the Prophet ﷺ regarding blood, istiḥāḍah is not menstruation, and a question does not matter if its answer is independent, stands by itself and not restricted by the structure of the question.

---

[59] Ṣaḥīḥ al-Bukhārī 219: Ṣaḥīḥ

[60] Ṣaḥīḥ Muslim 333, 62: Ṣaḥīḥ

As for menstruational blood specifically: Asmāʾ, daughter of Abū Bakr al-Ṣiddīq narrated, "A woman came to the Prophet ﷺ and said: 'What if one of us menstruates on the garment, what should she do?' He ﷺ said: 'She must scrape it off, then do qarṣ of it with water (pinch and rub (a stain) using the fingertips with water, in order to dissolve and remove it from the fabric) then sprinkle it, and then pray in it.'"[61]

Fāṭimah bint al-Mundhir is a thiqah[62].

As for what ʿĀʾishah narrated, "A woman asked the Prophet ﷺ about washing after menstruation, so he instructed her how to wash. He said: 'Take a piece of cloth scented with musk and purify yourself with it.' She asked, 'How do I purify myself with it?' He said: 'Subḥān Allāh! Purify yourself!' I pulled her toward me and said: 'Follow the trail of blood with it.'"[63]

This is weak because Ṣafiyyah bint Shaybah is not a companion, the narration attributed to her that she heard the khuṭbah of the Prophet ﷺ is weak because of Muḥammad ibn Isḥāq, she only saw the Prophet ﷺ and this is not a Ṣuḥbah and there is nothing else known about her so she is majhūlah.

And as for what ʿĀʾishah narrated, "A woman asked the Prophet ﷺ how she should wash after becoming pure from menstruation, so he ﷺ said: 'Take a cloth scented with musk and perform wuḍūʾ with it.'"[64]

This is also weak because it has only come from Ṣafiyyah bint Shaybah.

Everything that Allah or His Messenger ﷺ ordered us to purify ourselves from, or to wash from, cannot happen except with water, or with soil in the absence of water, except if there is a text that the purification is by other than water, which is then not transgressed.

---

[61] Ṣaḥīḥ al-Bukhārī 227: Ṣaḥīḥ

[62] Al-Iḥkām fī Uṣūl al-Aḥkām 3/82

[63] Ṣaḥīḥ al-Bukhārī 314: Ḍaʿīf as clarified

[64] Ṣaḥīḥ Muslim 332: Ḍaʿīf as clarified

Because of what Ḥudhayfah narrated, “The Messenger of Allah ﷺ said: ‘We were given superiority over the people in three things: the entire earth has been made a masjid for us, and its soil made for us a purifier (ṭahūr) when we do not find water.’”[65]

There is no doubt that every washing that is ordered in the religion is a purification (taṭahhur), and not every purification is washing. So it is established that there is no purification except with water, or with soil in the absence of water.

Allah said, “And He has not placed upon you in the religion any hardship.” [al-Ḥajj: 78]

And He said, “Allah does not burden a soul beyond its capacity.” [al-Baqarah: 286]

And He said, “Allah intends ease for you and does not intend hardship for you.” [al-Baqarah: 185]

And by necessity we know that it is not possible to separate from the blood of the small insects, and this is only if they there exist such an insect with blood, Because blood is the red liquid that flows through veins and arteries, and insects do not have veins or arteries, and also not the red liquid in it, so as that is the case, it is not obligatory in washing except what does not cause hardship, what is in one’s capability.

Some differentiated between blood has a nafs sāʿilah and blood that does not have a nafs sāʿilah (animals that do not have (real) blood running in them like insects). And this is false because it is a saying for which no Qurʿān and no Sunnah have come. And some of them differentiated between blood that flowed/spilled and blood that did not flow/spil.

And they cling unto the saying of Allah the Exalted, “or spilled blood” [al-Anʿām: 145].

This is false because Allah the Exalted said, “Prohibited to you are carrion, blood, and the flesh of swine” [al-Mā’idah: 3].

---

[65] Ṣaḥīḥ Muslim 523: Ṣaḥīḥ

So Allah the Exalted prohibited all blood and all maitah, so this is a sharʾ added upon the other verse, and Allah did not specify out from the prohibition of maitah that which has real blood flowing in then from that which does not.

And some cling unto a weak narration[66] in which there is mention of a dirham al-baghli's amount, using that as a limit. When it becomes more than that, only then it is najāsah. This is weak because of the weakness of Rawḥ ibn Ghuṭayf.

Issue: Purifying Madhī with Water

Madhī on the private part must be purified with water. The exit point of madhī from the penis must be washed, it is not obligatory to wash what touches the garment.

Al-Miqdād ibn al-Aswad narrated that ʿAlī ibn Abī Ṭālib ordered him to ask the Messenger of Allah ﷺ on his behalf about a man who approaches his wife and madhī is emitted. He said, "I asked the Messenger of Allah ﷺ about that, and he said: 'If any of you finds that (emission of madhī), let him sprinkle his penis water and perform wuḍūʾ just like the wuḍūʾ for ṣalāh."[67]

And ʿAlī ibn Abī Ṭālib narrated, "I used to be a man who emitted madhī frequently, so I instructed a man to ask the Prophet ﷺ on my behalf due to his daughter's position. He asked, and the Prophet ﷺ replied: 'Perform wuḍūʾ and wash your penis.'"[68]

As for what Ḥammād narrated, "I used to suffer greatly from madhī, and I used to perform ghusl often due to it… I asked the Messenger of Allah ﷺ about madhī. He said: 'Wuḍūʾ suffices you for it.' I said: 'What about what touches my garment from it?' He said:

---

[66] Sunan al-Dāraquṭnī 1479, 1480, 1494, 2/257: Ḍaʿīf as clarified

[67] Al-Muwaṭṭaʾ 53, 1/40: Ṣaḥīḥ

[68] Ṣaḥīḥ al-Bukhārī 269:

‘Take a handful of water and sprinkle your garment where you see it touched.’”[69]

This is weak because of the weakness of Muḥammad ibn Isḥāq and Muʿāwiyah ibn Ṣāliḥ.

Washing the exit point of madhī from the penis, the wording: ‘washing the penis,’ occurs on it just as one can say when he washes it: “I washed my penis from urine.” So adding obligatory washing, is a sharʾ without evidence.

This narration invalidates Abū Ḥanīfah’s saying that impurities are not removed from the body except with water, but can be removed from garments with things other than water[70].

And if they cling unto the narration that ʿĀʾishah would permit the removal of menstrual blood from a garment with saliva[71].

It is said to them: Then ibn ʿUmar used to permit wiping cupping blood from the skin using a stone, without washing[72].

But there is no ḥujjah in anything except in what has come from the Prophet ﷺ.

Issue: Purifying the Vessel of the Kitābī

And purifying the vessel, if it is from a kitābī must be done with water, whether najāsah on it is found or not. If the vessel is of a Muslim it is ṭāhir, if there is certainty that there is in it what must be avoided, then it is done by anything that removes, no matter what it is from the matters that are ṭāhirah. Except if it is zebra meat, its shaḥm or its wadak, then it is not allowed to purify it except with water with no other way.

---

[69] Sunan Abī Dāwud 210, 211: Ḍaʿīf as clarified

[70] Al-Natf fī al-Fatāwa 1/23

[71] Ṣaḥīḥ al-Bukhārī 312

[72] Sunan al-Athram 114

Abū Thaʾlabah al-Khushanī narrated, “O Prophet of Allāh, we are in a land whose people are the people of the book, we need there their cooking pots and their vessels.” Then the Prophet ﷺ said, “Do not approach them as long as you find a way out. And if you do not find a way out, then wash it with water and cook and drink.”[73]

Muʿādh ibn Hishām al-Dastuwāʿī is a thiqah, there is no jarḥ of him that is mufassar or even any jarḥ is not mufassar that discards a narrator. Al-Ḥumaydī called him a qadarī which is not a jarḥ. Yaḥyā ibn Maʿīn described him with, “Laysa bi Ḥujjah,” and, “Laysa bi Dhāk,” and, “Laysa Thiqah,” these are not mufassarah and what clarifies that ibn Maʿīn only described him with this because of his beliefs, not for his narrations is that ibn Maʿīn said about Yūnus ibn Khabāb, “He used to insult the companions of the Prophet ﷺ and anyone who insults the companions of the Prophet ﷺ is not thiqah.”[74] And what remains his is Yaḥyā’s tawthīq of Muʿādh ibn Hishām and his invalid taḍʿīf, so his narration must be taken.

Salamah ibn al-Akwaʿ narrated, “We went out with the Messenger of Allah ﷺ to Khaybar, and then Allah granted it to them. When the people reached the evening of the day it was conquered, they lit many fires. The Messenger of Allah ﷺ said: ‘What are these fires? Upon what are you lighting them?’ They said: ‘For meat.’ He said: ‘What kind of meat?’ They said: ‘The meat of zebras.’ So the Messenger of Allah ﷺ said: ‘Throw it away and break the pots.’ A man said: ‘O Messenger of Allah, or shall we throw (the meat) away and wash (the pots)?’ He said: ‘Or that.’”[75]

We have previously mentioned that every washing that is ordered in the religion is a taṭhīr, and every taṭhīr is only valid with water. And with Allah is success.

And it is not permissible to attach to what the Messenger of Allah ﷺ ruled upon, anything which he did not rule upon because that

---

[73] Sunan al-Tirmidhī 1797: Ṣaḥīḥ

[74] Suʿālāt ibn al-Junayd pg. 406, 485

[75] Ṣaḥīḥ Muslim 1802, 33: Ṣaḥīḥ

is a saying upon him what he did not say, or a shar' in the religion which Allah has not permitted.

Issue: A Dog Drinks from a Vessel

If a dog drinks (wulūgh) from a vessel, no matter what vessel it is and what kind of dog it is, whether a hunting dog or others, whether small or large, then it is obligatory to pour out whatever is in that vessel, whatever it may be, and then to wash it with water seven times. The first of these washes must be with soil with water. The water used to purify the vessel is ṭāhir and ḥalāl.

If the dog ate from the vessel but did not drink from it, or it put its leg or tail into it, or its entire body fell into it, then there is no obligation to wash the vessel, and also not to pour out what is in it at all, everything remains ḥalāl and ṭāhir just as it was.

Likewise, if the dog drinks from a spot on the ground, or from a person's hand, or from anything that is not called a 'vessel', then it is not obligatory to wash any of that, nor to pour out what is in it.

And wulūgh is only drinking. So if the saliva or sweat of the dog touches a body, or a garment, or a vessel, or any property, or game caught, then it is obligatory to remove that with anything that removes impurity, whether water or otherwise, except in the case of garments, which can only be purified with water.

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'If a dog laps in the vessel of any one of you, then let him pour it out, then wash it seven times.'"[76]

And Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'The purification of the vessel of any one of you, if a dog laps in it, is that he washes it seven times, the first of which must be with soil.'"[77]

[76] Ṣaḥīḥ Muslim 279, 89: Ṣaḥīḥ
[77] Ṣaḥīḥ Muslim 279, 91: Ṣaḥīḥ

Ibn Mughaffal narrated, “The Messenger of Allah ﷺ ordered the killing of dogs, then said: ‘What is it with them and the dogs?’ So he permitted [keeping] hunting dogs and sheepdogs. And he ﷺ said: ‘If a dog laps in a vessel, then wash it seven times, and on the eighth rub it with soil.’”[78]

So he ﷺ ordered pouring out what is in the vessel when the dog drinks in it, and he did not specify anything from anything. And he did not order avoiding what a dog licks in outside of a vessel; instead, he prohibited wasting property.

And this narration come with various riwāyāt: in some of them it says, “and the seventh [wash] with soil,”[79] and in others, “one of them with soil.”[80]

And all of this does not differ in meaning, because the first one is without doubt one of the seven washes. And in the wording, “the first” is clarification which one it is. So whoever applies the soil in the first wash has fulfilled the obligation.

And placed it in one of the seven and used both wordings together. And whoever places it in other than the first of them has opposed the order of the Messenger of Allah ﷺ that it must be in the first of them, and this is not permissible.

And there is no doubt that we know that the application of soil in the first washing is an eighth purification in addition to the seven washings, and that that washing precedes the others when they are combined. By this, obedience is valid for all of his ﷺ transmitted wordings in this narration. And nothing may replace the soil, because that is transgressing the limit set by the Messenger of Allah ﷺ.

As for the water with which the vessel is washed, it is ṭāhir, because there is no text ordering it be avoided, and there is no sharīʿah except what the Messenger ﷺ informed us of.

---

[78] Ṣaḥīḥ Muslim 280, 93: Ṣaḥīḥ

[79] Sunan Abī Dāwud 73: Ṣaḥīḥ

[80] Musnad Isḥāq ibn Rāhūyah 39, 1/121: Ṣaḥīḥ

Anything other than that is from that which Allah has not given permission for. Water is permissible to drink and ṭāhir so it is not forbidden except by an order from him ﷺ.

As for what a dog ate from, or fell into, or some of its limbs entered into, then there is no obligation to wash it or to pour it out, because it was ḥalāl and ṭāhir before that with certainty as it is from that which Allah has permitted of foods, drinks, and other permitted matters, it does not move to being ḥarām and najis except by text, not by mere claim.

As for the obligation of removing the dog's saliva and sweat, regardless of what it has touched, that is because Allah has prohibited every beast with fangs, and the dog is a fang-bearing beast. So it is ḥarām, and part of the ḥarām is itself ḥarām without doubt. And its saliva and sweat are part of it, so they are both ḥarām. And whatever is ḥarām must be removed and avoided. And it is not sufficient that it be removed from clothing except with water, due to the saying of Allah , "And your clothing purify." [al-Muddaththir: 4]

And we have said that purification cannot be done except with water, or with soil in the absence of water.

Al-Shāfiʿī also said likewise, except that he said: "If the water in the vessel is five hundred raṭls, it must not be poured out due to the dog drinking from it." He saw that anything besides water, no matter how much, must also be poured out. And he also considered that if a pig drank in a vessel, that it must be washed seven times just like with a dog, but did not say that ruling for the drinking of any other beast or anything besides the pig[81].

This is false, because the general order of the Messenger of Allah ﷺ to pour out is earlier to be followed. As for drawing a qiyās between the pig and the dog, that is a clear mistake, and that is if any qiyās would be the truth, because the dog is among the predatory beasts

[81] Al-Umm 2/14, 1/24

and was not made ḥarām except by the general prohibition of consuming the meat of predatory beasts.

So making qiyās of all other beasts and what they drink, upon the dog, which is one of them and whose hunting is permissible when trained is better than making qiyās of the pig upon the dog. And just as it is not permissible to make qiyās of the pig to the dog in the permissibility of keeping or eating its hunted game, and likewise it is not permissible to make qiyās of the pig to the dog in the number of washings for a vessel from its drinking. Then how when all of qiyās is false?

It is narrated from Mālik that he said: "I truly see it as a grave matter that one would take provision from the provisions of Allah and pour it out because of a dog that drinked in it."[82]

So it is said to the one who uses this statement as argument: What is greater than that is to oppose the order of Allah upon the tongue of His Prophet ﷺ to pour it out. And what is even greater than that you find it grave to take provision from the provisions of Allah and pour it out because of a dead bird that died in it without any order from Allah to pour it out.

And if they say: "The dead bird is ḥarām."

We say: Yes, we do not disagree with you on that. But the liquid in which it died is ḥalāl. So your making ḥarām what is ḥalāl because it came into contact with something ḥarām is false, except if the Messenger of Allah ﷺ orders that, in which case His order must be obeyed, His limit not transgressed, and nothing is added to it that he did not say.

Abū Ḥanīfah said, "Everything that a dog laps from, regardless of what it is and whether it is much or little, must be discarded. And whoever performs wuḍūʾ with that water must repeat the wuḍūʾ and the ṣalawāt forever. And the vessel is only to be washed once."[83]

---

[82] Al-Mudawwanah 1/115

[83] Al-Aṣl 1/31-32

This is a statement that opposes the Sunnah of the Messenger of Allah ﷺ which we have already mentioned and that is sufficient as falsehood.

Some of his muqallids argued for him by saying: "Abū Hurayrah who is among those who narrated it from the Prophet ﷺ, was narrated to have opposed it by his own action."[84]

It is said to him: This is false for many reasons:

If it would be authentic from Abū Hurayrah that he contradicted in his action what he narrated and we seek refuge with Allah from that, then it would not be permissible to oppose by that what he narrated from the Prophet ﷺ because ḥujjah is only in the statement of the Messenger of Allah ﷺ, not in the statement of anyone else. Because a Companion can forget what he narrated or make taʿwīl. So what is obligatory when such is found is to weaken what is narrated about the companion from his saying and to precede what is narrated about the Prophet ﷺ. Not to weaken what is narrated about the Prophet ﷺ and precede what is narrated about the companion. This is the essence of falsehood which no one is allowed.

And also, even if it would be authentic from Abū Hurayrah that he opposed what he narrated from the Prophet ﷺ then others from the Companions also narrated this, such as Ibn al-Mughaffal from the Prophet ﷺ and he did not oppose what he narrated.

And some of them said: "This ruling only existed when the order to kill dogs was given, but when the order to kill them was abrogated, that ruling was also abrogated."

This is an absolute lie for two reasons. The first: because it is a blatant claim without any evidence, and following that which the one who says it has no knowledge of is ḥarām.

The second: Ibn Mughaffal narrated the prohibition of killing dogs and the order to wash the vessel from their lapping seven times in a single narration, and we have mentioned it earlier.

---

[84] Sharḥ Maʿānī al-Āthār 74, 1/23

And also if the order to kill dogs was at the beginning of the Hijrah, while the narration about washing the vessel from their drinking seven times was only narrated by Abū Hurayrah and Ibn Mughaffal and both of them accepted Islām later .

And some of them said: "The order to wash the vessel seven times was only on the manner of emphasis."

It is said to them: Did the Prophet ﷺ order with ḥaqq and in a way that his obedience is obligatory? Or did he order with falsehood and something for which there is no harm in disobeying him?

If they say: "He ordered with ḥaqq and his obedience in this is obligatory," then they have nullified their own objection regarding 'emphasis'.

As for the other opinion, then to say it is pure disbelief that no Muslim says

And some of them said: "There is a narration that he only ordered killing them because they used to frighten the believers."

It is said to him: We are not about killing them. We are only about washing the vessel after they drink in it while that narration does not have except mention of their killing, and that is fabricated, because it is from the narration of al-Ḥusayn ibn ʿUbayd Allāh al-ʿIjlī, and he is weak.

And some of them stirred confusion by mentioning the ḥadīth in which forgiveness was given to a prostitute who gave water to a dog using her leather sock[85].

This is very astonishing, because that narration occurred in a Sharīʿah other than ours, and we are not obliged the Sharīʿah of those before us. And also where do they get it from that the leather sock was used for drinking again afterwards, or that it was not washed, or that the prostitute knew the Sunnah of washing the vessel from the drinking of a dog? And that prostitute was not a prophetess such that her action would a ḥujjah. All of this is stumbling aimlessly which its doer must

[85] Ṣaḥīḥ al-Bukhārī 3467

be ashamed from. The same applies to the man who gave water in his shoe to a dog when he saw the dog eating mud[86]. And also a shoe is not a vessel. And even if it would be a vessel, and if it would be from our Sharīʿah then it is abrogated as it is upon what would be upon the state before the obligation.

It suffices that the vessel is washed by whomever washes it, even if it is not the owner because of the statement of the Prophet ﷺ: "Then wash it," and that is a general order.

So if they reject against us for making a difference between what the dog drinks in it and between what it has eaten from, or fallen into, or inserted a limb of its body into other than its tongue. And also Allāh said about hunting animals, "Then eat what it catches for you." [5:3]

We say to them: There is no blame upon the one who says what the Messenger of Allah ﷺ said, and does not say what he ﷺ did not say, and does not oppose what his Prophet ﷺ ordered him with, and does not legislate in the religion that which he ﷺ did not legislate.

Instead the blame is upon the one who invalidates the prayer because of the presence of blood from a chicken on a garment exceeding the size of a baghlī dirham, and by that invalidates the prayer by it, but does not invalidate the prayer when a garment is dipped in the blood of a fish. And upon the one who invalidates the prayer because of the amount of a baghlī dirham of chicken feces or horse dung on a garment, but does not invalidate the prayer when less than a quarter of the garment is stained with horse urine or crow feces.

And upon the one who spills water into that which a dog drinks from, but does not spill milk into which a dog drinks from. And upon the one who orders the pouring out of five hundred amounts of raṭl minus one ūqiyyah of water because a single dirham's worth of a dog's saliva fell into it, but if it was five hundred raṭl and a whole raṭl of dog saliva fell into it, he would say it is pure and would not pour out eve a

[86] Ṣaḥīḥ al-Bukhārī 173

drop of it. These are the real absurdities, not what we have said at all. And by Allah we seek support.

Issue: Ruling on a Vessel in Which a Cat Drinks From

If a cat drinks in a vessel, then what is in the vessel is not poured out. Instead it can be eaten, drunk, and used. Then the vessel must be washed with water once only. It is not obligatory to remove its saliva with water from anything other than the vessel and garments, it can be removed by any means. But from clothing, it must be removed using only water.

Abū Hurayrah narrated, "The Prophet ﷺ, he said: "If a dog laps in the vessel, then wash it seven times, and for the cat, once."[87]

As for Kabshah bint Kaʿb ibn Mālik, who was married to the son of Abū Qatādah, narrated that she poured water for Abū Qatādah to perform wuḍūʾ, and a cat came and began to drink. So he inclined the vessel toward it. I began to watch, and he said: "Are you surprised, O daughter of my brother? The Messenger of Allah ﷺ said: 'Indeed it is not najis. It is one of those who go about among you or those who go about.'"[88]

This is not authentic because Ḥumaydah bint ʿUbayd ibn Rāfiʾ Ḥumaydah is majhūlah.

So it is obligatory to wash the vessel, but it is not obligatory to pour out what is in it, because it has not become najis. And it is obligatory to wash its saliva from clothing, because the cat has fangs and is from the wild beasts, so it is ḥarām. And part of what is ḥarām is ḥarām, but not every ḥarām thing is najis. And nothing is najis except what Allah or His Messenger ﷺ has called najis. And silk and gold are ḥarām for men, but they are not najis.

---

[87] Sunan al-Tirmidhī 91: Ṣaḥīḥ

[88] Sunan al-Tirmidhī 92: Ḍaʿīf as clarified

And as for what we said about clothing, Allah the Exalted said, "And your garments purify" [al-Muddaththir: 4].

And the narration about using water for ṭahārah as long as it is found.

Issue: Purification of the Skin of a Maitah

The purification of the skin of a maitah (any animal that died without dhakāh) any maitah, even if it be the skin of a swine, a dog, a predator, or anything else, all of that is through tanning, no matter what material is used in the tanning. It becomes pure. When it is tanned, it becomes permissible to sell it and to pray on it. It is just like the skin of an animal that has been slaughtered (dhakāh) from among those whose meat is permissible to eat. Except that it is not allowed to eat the skin of the maitah. Except for the skin of a human, which is not allowed to be tanned nor flayed/peeled. It must be buried, even if the person was a kāfir. As for the wool, hair, feathers, and fur of a maitah: they are ḥarām before tanning, and ḥalāl after. Its bones and horns are entirely permissible to benefit from, but it is not permissible to eat it, nor is it allowed to sell a maitah, nor to benefit from its nerves or fat.

Ibn ʿAbbās narrated, "I heard the Messenger of Allah ﷺ say: 'Any hide that has been tanned has become pure.'"[89]

And Ibn ʿAbbās narrated, "The Messenger of Allah ﷺ passed by a dead sheep that belonged to the freed slave of Maymūnah. He said: 'Could you not have made use of its hide?' They said: 'But it is dead, O Messenger of Allah!' He said: 'Only its meat was made prohibited.'"[90]

And Maymūnah narrated, "The Messenger of Allah ﷺ passed by a discarded sheep and said: 'Whose is this?' They said: 'It belongs to Maymūnah.' He said: 'Would there be anything wrong if she made

[89] Sunan al-Tirmidhī 1728: Ṣaḥīḥ

[90] Ṣaḥīḥ al-Bukhārī 5531, 1492, 2221: Ṣaḥīḥ

use of its hide?' They said: 'It is dead.' He said: 'Indeed, Allah only made its flesh prohibited.'"[91]

And Ibn ʿAbbās narrated, "A sheep had been given in charity to the freed slave of Maymūnah and it died. The Messenger of Allah ﷺ passed by it and said: 'Why did you not take its hide, tan it, and benefit from it?' They said: 'It is dead.' He said: 'Indeed, only its consumption was made prohibited.'"[92]

Ibn ʿAbbās narrated, "Maymūnah informed me that a sheep died, so the Messenger of Allah ﷺ said: 'Why did you not tan its hide?'"[93]

Jābir ibn ʿAbd Allāh narrated, "The Messenger of Allah ﷺ said during the year of the Conquest while he was in Makkah: 'Indeed, Allah and His Messenger have prohibited the sale of khamr, maitah, swine, and idols.' It was said: 'O Messenger of Allah, what about the fat of maitah? For it is used to caulk ships, grease skins, and people use it for lighting.' He said: 'No. It is ḥarām.' Then the Messenger of Allah ﷺ said: 'May Allah kill the Jews! When Allah prohibited them the fat, they melted it down and sold it, and consumed its price.'"[94]

Aḥmad ibn Ḥanbal went with that it is not permissible to use the skin of a maitah even if it has been tanned[95] and he mentioned as argument what we narrated from ʿAbd Allāh ibn ʿUkaym who said: "The Messenger of Allah ﷺ wrote to us: 'Do not benefit from the maitah by means of its skin or tendons.'"[96]

His saying is false, this is a weak narration because ʿAbdullah ibn ʿUkaym perceived the time of the Prophet ﷺ but it is not established that he heard from him ﷺ. And even if it would be authentic, it does not contradict those before it is instead the ḥaqq. It is not permissible

[91] Al-Sunan al-Kubrā 4546, 4/380: Ṣaḥīḥ
[92] Ṣaḥīḥ Muslim 363, 100: Ṣaḥīḥ
[93] Al-Muṣannaf of ʿAbd al-Razzāq 188, 1/63: Ṣaḥīḥ
[94] Ṣaḥīḥ al-Bukhārī 2236: Ṣaḥīḥ
[95] Al-Jāmiʾ li ʿUlūm Aḥmad 5/379-385
[96] Al-Mujtaba 4562: Ḍaʿīf as clarified

to benefit from the skin of a dead animal except after it has been tanned, just as it is in other aḥādīth. As adding the sayings of the Prophet ﷺ to each other is obligatory, and it is not permissible to abandon some of them for others, because all of them are truth from Allah, the Exalted.

Allah the Most High said, "He does not speak from desire. It is but revelation revealed." [al-Najm: 3-4]

And Allāh said, "Had it been from other than Allah, they would have found much contradiction in it." [al-Nisāʾ: 82]

As for Abū Ḥanīfah's saying permitting the bones and tendons of the maitah[97], this is false, because it is opposition to the authentic narration we have mentioned before, "Do not benefit from the maitah by means of its skin or tendons."

The narration permitting the skin after tanning has been established, so the prohibition remains for the tendons. And likewise him making a difference between the skins of predatory animals, ordinary maitah, and swine is also an error because all of that is maitah and is ḥarām. And these differences are not known by anyone before him.

As for Mālik making a difference between the skin of animals whose meat is permissible and the skin of those whose meat is not permissible[98], it is false. This is because Allah has prohibited the maitah just as He prohibited the swine, and there is no difference. Allah said, "And prohibited to you is maitah, blood and meat of swine." [al-Māʾidah: 3]

Likewise, him prohibiting praying on it is false, because it is a distinction between types of benefit without any text from the Qurʾān, and also not from the Sunnah. Nor is it not known that anyone other than him before him ever said the likes of it.

---

[97] Al-Aṣl 1/206-207

[98] Al-Mudawwanah 1/183, 4/161

As for al-Shāfiʿī making a difference between the skins of wild beasts and the skin of a dog or a skin[99], it is also false because all of it is maitah, and all of it is equally ḥarām.

His claim that the meaning of the Prophet's ﷺ statement, "When the hide is tanned, it becomes pure," is that it returns to its former purity. That that which was not najis while alive is purified by tanning. And that by this he claimed that the skin of the dog and the pig does not become pure through tanning, because the impurity in them remains while they are alive.

This is false and a claim without evidence. Instead, the ḥadīth is upon its apparent and it becomes then pure at the point of tanning. And no one before him is known with these differentiations.

As for whatever wool, hair, fur, or down is on the hide, all of it becomes pure after tanning, not before it. Because the Prophet ﷺ knew that hides of maitah have hair, feathers, fur, and wool, yet he did not order that any of that be removed, and he also did he not permit using any of it before tanning.

All of that, before tanning, is part of the maitah and ḥarām. And all of it, after tanning, becomes pure and is no longer maitah, and so it becomes ḥalāl, except for eating it. And as it is ḥalāl, then wearing it in ṣalāh and outside of it, and selling it, all of this falls under benefiting (intifāʾ) which the Messenger of Allah ﷺ ordered.

But if it is removed from the skin before tanning, it is not permissible to benefit from any of it, and it is ḥarām because tanning does not apply to it.

But if it is removed after tanning, then it is pure and becomes ḥalāl like other permitted things except eating it.

As for the bones, feathers, and horns, all of these are from the living animal, are part of the living animal. And the living animal is permissible to own and sell, except what texts from that prohibits. But all of those parts from maitah are maitah.

---

[99] Al-Umm 1/111, 2/29

And it is authentically narrated that the Prophet ﷺ prohibited the sale of maittah, and a part of a maitah is also maitah so it is not permissible to sell any of it.

And benefiting from all of it is allowed, because of his ﷺ saying as mentioned before, "Only eating it is prohibited." So he ﷺ permitted everything other than that except for what he specifically prohibited from it as we mentioned from selling it or using its fat for the skin or boats and also its sinews and meat.

As for pig hair and its bones, all of that is ḥarām. It is not permissible to own any of it or benefit from any of it. That is because Allah said, "Or the meat of swine, for it is rijs." [al-Anʿām: 145]

The pronoun 'it' goes back to the closest mentioned matter which is the swine in general not the meat. So the entire pig is rijs (filth), and rijs must be avoided, because of His saying , "Rijs from the actions of Satan, so avoid it." [al-Māʾidah: 90] Except for the skin, because that, by tanning, becomes pure by the general statement of the Prophet ﷺ: "Any hide that is tanned has become pure," as mentioned before.

As for human skin, it is authentically narrated that the Messenger of Allah ﷺ prohibited muthlah (mutilation)[100] and skinning a human is the greatest form of mutilation and not burying is a mutilation. So it is not permissible to mutilate a kāfir nor a muslim after their death by this general text. And it is authentically narrated that he ﷺ buried the bodies of the disbelievers killed at Badr into the well[101] so burying every deceased person, whether kāfir or Muslim, is obligatory.

[100] Ṣaḥīḥ al-Bukhārī 2474, 4192, 5516: Ṣaḥīḥ

[101] Ṣaḥīḥ al-Bukhārī 240, 1370: Ṣaḥīḥ

Issue: The Vessel of Khamr if the Khamr Turns into Vinegar

If the vessel of khamr has khamr that turned into vinegar on its own, then it has become ṭāhir. Wuḍūʾ can be made from it and drinking from it is allowed, even if it was not washed. But if the khamr was poured out and it left behind a trace, then that trace must be removed and it must be removed with anything that is ṭāhir, no matter what it is. If the trace is removed, the vessel is then ṭāhir, whether it is made of pottery, wood, metal, stone, or anything else.

As for khamr, it is prohibited by texts. It is then obligatory to avoid it. Allah said, "Intoxicants, and Al-Azlām are a rijs of Satan's actions. So avoid that." [al-Māʾidah: 90]

So, if the khamr turns into vinegar on its own or it is transformed into vinegar, then vinegar is ḥalāl by text and ṭāhir.

Jābir ibn ʿAbd Allāh narrated, "The Messenger of Allah ﷺ said: 'What an excellent condiment vinegar is.'"[102]

So the Prophet ﷺ made it general and did not specify a situation. Vinegar is not khamr, because that which is ḥalāl and ṭāhir is not the ḥarām and rijs, without any doubt.

So there is then in reality no khamr at all, and there is no trace of it in the vessel. So, there is nothing that must be avoided or removed.

As for when a trace of the khamr remains visible in the vessel, then it is there without doubt, and it becomes obligatory to remove it and to avoid it.

There is no text what it must be removed with. So it is established that whatever removes it then what is obligatory is fulfilled from the obligatory removal then the vessel is ṭāhir because there is nothing in it that must be avoided.

---

[102] Sunan Abī Dāwud 3820: Ṣaḥīḥ

Issue: Manī is Ṭāhir

Manī is ṭāhir, whether it is on water, the body, or on clothing and its removal is not obligatory. Spit (buṣāq) is similar, with no difference between the two.

Hammām ibn al-Ḥārith narrated, "ʿĀʾishah, the Mother of the Believers, once sent a message inviting a guest of hers. They responded, saying: 'He is washing off janābah from his garment.' She said: 'Why is he washing it? I used to rub it off the garment of the Messenger of Allah ﷺ.'"[103]

If someone says, "How does this narration indicate that it's pure when the only thing mentioned in it is that ʿĀʾisha scrubbed it and that's not the description of what is ṭāhir."

We say: In different situations it came on the Prophet ﷺ, even one suffices and the Prophet ﷺ let it stay on himself so this is acknowledgment of him that it is ṭāhir.

And this narration exposes the falsehood of those who speculate without knowledge and claim that she used to rub it off using water.

Abū Ḥanīfah said, "Manī is impure. So if there is more than the amount of a dirham of it on the body, then nothing other than water suffices for removing it."[104]

Those who claim manī is najis argue with the Ḥadīth from the ṭarīa of Sulaymān ibn Yasār, from ʿĀʾisha that the Prophet ﷺ would wash manī, she said, "I would wash it from the thawb of Rasūlullah ﷺ."[105]

They also say, "It comes out the same passage as urine, so it is najis because of that."

---

[103] Ṣaḥīḥ Muslim 288, 105-107: Ṣaḥīḥ

[104] Al-Aṣl 1/61-62

[105] Ṣaḥīḥ al-Bukhārī 230, 231: Ṣaḥīḥ

And they mentioned a Ḥadīth from ʿĀʾishah concerning manī: "The Messenger of Allah ﷺ used to order that it be scraped."[106]

This is not a ḥujjah for them. As for the ḥadīth of Sulaymān ibn Yasār, there is not in it an order from the Messenger of Allah ﷺ to wash it, nor to remove it, nor that it is najis. There is only in it that he ﷺ used to wash it, and that ʿĀʾishah used to wash it. And the actions of the Messenger ﷺ are not obligations.

Anas ibn Mālik narrated, "The Messenger of Allah ﷺ saw sputum in the direction of the qiblah, so he scraped it off with his hand, and his dislike for that was seen."[107]

This is not used as evidence by our opponents for the impurity of sputum. A person can wash his garment from something that is not impure.

As for the ḥadīth of Sufyān, the Ḥadīth in which is the order to remove it, it is only narrated by Abū Ḥudhayfah Mūsā ibn Masʿūd al-Nahdī, a weak Baṣran narrator and known to make many mistakes and to misreport. He narrated falsehood from Sufyān.

As for their saying that manī exits from the same passage as urine, there is no ḥujjah in this for them because there is no ruling for urine as long as it has not appeared. There is no text ruling everything that exits from that passage as najis.

And Allah the Exalted has said: "From between excrement and blood, pure milk" [al-Naḥl: 66]

So milk exiting from between filth and blood did not make it najis, so all what they cling unto falls apart. And with Allah the Exalted is success.

And some of them said, "One must wash it when moist, based on the ḥadīth of Sulaymān ibn Yasār, and scrape it when dry based on the other aḥādīth."

---

[106] Al-Muntaqa of ibn al-Jārūd 135: Ḍaʿīf as clarified

[107] Ṣaḥīḥ al-Bukhārī 417

This is false, because there is no mention in the ḥadīth of Sulaymān that it was moist, nor in the other aḥādīth that it was dry, except in the ḥadīth of al-Khawlānī alone. So this person ends up lying and making assumptions, adding into the narrations what is not in them.

Some of them said, "The meaning of: 'I used to rub it off' is 'with water.'"

This is another lie and an addition to the narrations. Then how when in some narrations as we have presented there is in it: "When it was dry, with my fingernail."

And also if it had it been najis, Allah the Exalted would not have left His Messenger ﷺ to pray with it, and He would have informed just as He informed when he prayed in sandals that had filth in them, so he removed them. And we have already mentioned this**.**

Issue: If Dried Feces or a Maitah is Burned or Changes Then Becomes Ash or Soil

If the feces or maitah is burned or changes and by that becomes ash or dust, then all of that is ṭāhir and tayammum can be performed with that soil. The decisive evidence for this is that rulings are only upon what Allah has given a ruling upon from among the things to which that name, with which Allah addressed us, applies. So when that name becomes invalid, that ruling becomes invalid, and it is something other than what Allah gave a ruling on it. And feces is not soil or ash, just as khamr is not the same as vinegar and a human being is blood from which he was created, and a maitah is not soil.

Issue: The Saliva of Believing Men and Women

The saliva of believing men and women including those who are junub and menstruating women and others, and the saliva of horses and of every animal from which the meat is permissible to eat, and the sweat, tears, and leftover food of all such animals is ṭāhir and it is permissible to pray while affected by it.

Abū Hurayrah narrated, "The Prophet ﷺ met him on one of the roads of Madīnah while Abū Hurayrah was junub. He said: 'So I slipped away from him and went to take a bath, then I came back.' He ﷺ asked: 'Where were you, O Abū Hurayrah?' He replied: "I was junub and disliked to sit with you while not in a state of purity.' He ﷺ said: 'Subḥān Allāh! A believer does not become najis.'"[108]

Everything whose meat is permissible to eat, there is no disagreement that it is ṭāhir. Allah the Exalted said, "He permits for them all that is pure and forbids for them all that is filthy." (al-Aʿrāf: 157)

So everything that is ḥalāl is ṭayyib (pure), and what is ṭayyib cannot be impure (najis), and is instead ṭāhir. And part of what is ṭāhir is without doubt ṭāhir, because something whole is nothing more than its parts, until a naṣṣ comes prohibiting one of those ṭāhir parts. Like blood, urine, and feces and it becomes an exception from the generality of ṭāhir, and the remaining remains pure.

Issue: The Kāfir is Najis and the Muslim is Ṭāhir

The pus from a Muslim, and qaṣṣah al-bayḍāʾ (white threadlike discharge) and everything that is cut off from him whether alive or dead and the milk of the believing woman, all of that is ṭāhir. And all of that from the kāfir and the disbelieving woman is najis.

[108] Ṣaḥīḥ al-Bukhārī 283: Ṣaḥīḥ

The decisive evidence for that is what we have already mentioned from the saying of Allah , “Indeed, the polytheists are impure” [at-Tawbah: 28], and the saying of the Messenger of Allah ﷺ: “The muʿmin does not become impure.”[109]

And some of najis is najis, and of ṭāhir is ṭāhir, because something whole is nothing other than its parts, and with Allah lies all success. So the saliva of the kuffār, men and women, whether they are from the People of the Book or otherwise is entirely impure (najis), and also their sweat, their tears, and anything that comes from them. And everything that leaves a trace other than traces that come by default by a mere touch.

The evidence for this is the saying of Allah , “The polytheists are only impure.” [al-Tawbah: 28]

And it is certain that some parts of something najis is also najis, because anything whole is nothing other than its parts.

If it is said: “It means they are impure in religion.”

We say: Assume that is the case, does that necessitate that the polytheists are pure (Ṭāhirūn). Exalted is also above this. And never is it understood from the statement of Allah , “The polytheists are only impure.” [al-Tawbah: 28] With the saying of the Prophet ﷺ, “The muʿmin does not become najis,” that the mushrikīn are Ṭāhirūn.

And there is nothing in this world more astonishing than someone who says about those whom Allah states by naṣṣ as impure that they are pure, and then says about manī for which there is no text declaring it najis, that it is najis!

Merely hearing this suffices and we praise Allah for soundness of understanding.

If it is said: “It has been made permissible for us to marry women from the People of the Book and have intercourse with them.”

We say: Yes and what dalīl is there in this that their saliva, sweat, or tears are pure?

---

[109] Ṣaḥīḥ al-Bukhārī 285: Ṣaḥīḥ

If it is said: “It is impossible to avoid coming into contact with those things.”

We say: That is false. He does whenever he is touched by her saliva, sweat, or tears just as he does when coming in contact with her urine, blood, or vaginal discharge and there is no difference. And there is no hardship in any of that.

If they mention the narration that the Prophet allowed making wuḍūʾ of the water of mushrikah who was not a kitābiyyah[110]. And the narration that he ﷺ tied Thumāmah ibn Uthāl to the masjid[111] which must be free from najāsah. And that he ate from the roasted sheep given by the jewess[112]. And that the narration that he ate from the cheese imported from the lands of the Christians[113]. And the narration that he ﷺ ate from barley bread and fat when invited to it by a Jew[114]. And the ijmāʾ on the permissibility of physically engaging with a female captive before her Islām, and the permissibility of the food of the People of the Book. And also the narration about Heraclius touching the Qurʿān.

We say: As for the narration about the barley bread and fat, it is weak as Ibrāhīm ibn ʿUyaynah is weak. And yes, it is only established by these that it is obligatory avoid from them what leaves traces behind from spit, mucus, discharges, sweat, nails and others. As for what does not leave behind an evident trace behind other than always is left behind by default by mere touches then it is not obligatory to wash this. And as for their claim about slave girls, it is not allowed to have any intercourse with any slave girl before her Islām as will be clarified in another chapter by the will of Allāh. And also none of them claim that the saying of the Prophet ﷺ declaring the Muslim Ṭāhir is only due to his belief, this is where all of them have

---

[110] Ṣaḥīḥ Muslim 682, 312: Ṣaḥīḥ

[111] Ṣaḥīḥ al-Bukhārī 4372: Ṣaḥīḥ

[112] Ṣaḥīḥ al-Bukhārī 5777: Ṣaḥīḥ

[113] Sunan Abī Dāwud 3819: Ḍaʿīf as clarified

[114] Musnad Aḥmad 13860, 21/344

abandoned their claim and this destroys their foundation, and Allāh is the source of strength.

Issue: The Ruling on the Leftover of Every Disbelieving Man or Woman, and the Leftover of Every Animal Whose Meat is Eaten or Not Eaten

The leftover of every kāfir, male or female, and the leftover of everything whose meat is eaten or not eaten whether it is from a swine, a predatory animal, a domesticated donkey, a chicken, if there is no visible trace of the saliva of that which is not eaten, then it is pure (ṭāhir) and ḥalāl, except what the dog drinks only. And it is not obligatory to wash the vessel from any of those things, except what the dog and the cat drink from.

The decisive evidence for this is that Allah has ruled that the pure is pure, the najis is najis, the prohibited is prohibited, and the permissible is permissible, and He condemned the transgressing of His limits.

So whatever Allah has ruled to be pure is pure, and it is not permissible for it to become najis merely by contact with something najis, because Allah did not obligate that, nor did His Messenger ﷺ.

And whatever Allah has ruled to be impure does not become purified by contact with the pure, because Allah did not obligate that and also not His Messenger ﷺ.

And whatever Allah has made permissible does not become prohibited by contact with the prohibited, because Allah did not obligate that, nor did His Messenger ﷺ.

And whatever Allah has made prohibited does not become permissible by contact with the permissible, because Allah did not obligate that, nor did His Messenger ﷺ.

There is no difference between one who claims that the pure becomes najis by contact with najis and one who reverses the matter

and claims that the najis becomes pure through contact with the pure, or that the prohibited becomes permissible through contact with the permissible, both of these are false.

Instead all of that remain as they are in the ruling of Allah , except if a naṣṣ comes opposing that in a matter, which is then not transgressed to other than it.

So if any of what we mentioned drinks from a vessel, or eats from it, or puts part of its body into it, or falls into it then its leftover is ḥalāl and ṭāhir, and it does not become impure by any contact it had with something ḥarām or najis, even if it is a swine, except if some of the prohibited thing itself becomes visibly apparent in that object. And part of the ḥarām is ḥarām, as preceded.

Except for the dog and the cat, for we have already mentioned the ruling of the Messenger of Allah ﷺ about them. And all praise is due to Allah, Lord of the worlds.

As for the claim that the living animal, whose meat is prohibited, is impure while alive is false.

And nothing is impure except what is declared impure in the text. Otherwise, if everything that is ḥarām were also najis, then the son of Ādam would be najis.

Issue: The Ruling of a Liquid If Impurity Falls Into It

Every liquid, whether it is water, oil, ghee, milk, rosewater, honey, broth, perfume, or anything else, if impurity or something prohibited or a maitah falls into it, then if that changes the color, taste, or smell of the substance into which it fell, then the entire liquid has become corrupt and it becomes ḥarām to consume. It is not permissible to use it or sell it. If it did not change anything from the color, taste, or smell were it fell in, then that liquid is ḥalāl to eat, drink, and use as it was before, and making wuḍūʾ with that water is permissible, and cleaning with it for ghusl as well. The sale of that item, if it was previously

permissible to sell, remains ḥalāl. There is no meaning in investigating its condition and it is like something that had mucus or saliva fall into. Except if someone urinates into still water that does not flow, then performing wuḍūʾ or ghusl with that water is ḥarām. His ruling in that case is that he must do tayammum if no other water is available. But the water remains ṭāhir and ḥalāl to drink for the one who urinated and others, as long as the urine did not change any of its descriptions. And it is ḥalāl to do wuḍūʾ with it and ghusl in it for others.

And if someone releases feces or najāsah other than urine into the (still) water instead of urine specifically or urinated but outside of it and then the urine flowed into it, or urinated in a cup and poured it in it, instead of directly in it, then it remains ṭāhir and it is permissible to make wuḍūʾ from it and perform ghusl in it, for the one who did that and also for others, except if that urine or other impurities changed any of the water's properties as we mentioned, then using it becomes invalid for anyone.

And except for that which a dog drank in, because that must be spilled as previously clarified in its chapter. And except for ghee (samn) into which a mouse fell and died, or died inside it, or exited it alive, whether the mouse was male or female, small or large, then if the ghee was liquid at the time of the mouse's death or its falling into it, or when it exited alive, then the entire ghee must be discarded, even if it was forty-four million eight hundred thousand kilograms, or less or more. It is not permitted to benefit from it, whether it later solidifies or remains liquid.

But if the ghee was solid at the time of the mouse's death in it or its falling into it, and the solidification was complete, then the mouse and the portion around it must be removed, and the remaining is ḥalāl to eat, sell, and apply on the body, whether the amount is small or large.

As for water, it is not permissible to sell or buy it because of the Prophet's ﷺ prohibition, as will be clarified in the chapter about sales, if Allah wills.

The decisive evidence for what we have mentioned, is what we mentioned before that everything that Allah has made ḥalāl and declared ṭāhir remains like that forever, as long as there does not come another naṣṣ that prohibits it or declares it najis.

And everything that Allah has made ḥarām or declared najis it remains like that forever, as long as no other text comes making it permissible or pure.

Anything beyond this is transgression of the limits of Allah. Allah said: "This is the boundary of Allah, so do not transgress it." [al-Baqarah: 229]

And He said: "And do not say, regarding what your tongues falsely describe: 'This is ḥalāl and this is ḥarām.'" [al-Naḥl: 116]

And He said: "Say: Have you seen what Allah has sent down to you as provision, and you made part of it ḥarām and part ḥalāl? Say: Has Allah given you permission, or are you inventing lies against Allah?" [Yūnus: 59]

And it is established with certainty that the ṭāhir does not become najis by coming into contact with najis, and the najis does not become pure by coming into contact with the ṭāhir. And the ḥalāl does not become ḥarām by coming into contact with the ḥarām, nor does the ḥarām become ḥalāl by coming into contact the ḥalāl.

Instead the ḥalāl remains ḥalāl as it was, and ḥarām remains ḥarām as it was, and ṭāhir remains ṭāhir as it was, and najis remains najis as it was, except if there is a naṣṣ that changes the ruling from any of these, in which case we hear and obey, and if else, then not.

And if water would become najis by contact with the najis, then nothing would ever be purified, because if it is poured over a najāsah to wash it, the water would become najis with no other way according to them. And if it becomes najis, it must be purified and in this manner forever.

And if that would be the case, then the sea and all flowing rivers would be najis, because whenever any water comes into contact with a najāsah, then it becomes obligatory that the water touching it must also

become najis and then whatever touches that must also become impure, and in that manner forever, there is no escape from this.

If they say in any of this: "It does not become najis," then they have abandoned their own statement, returned to the truth, and contradicted themselves.

And their ijmāʾ with us on the invalidity of such, and on the purification of the exit point, and of blood in the mouth, and on clothing and the body is an acknowledgment that there is no najāsah except where the exact najāsah is evident.

And that nothing becomes ḥarām except where the exact manṣūṣ appears. And their remaining for the rest of their claims are all false.

If they make a difference between incoming water and water into which najāsah enters, then they have only increased their confusion and without any evidence.

And as for when the color of the ḥalāl ṭāhir substance changes because of it mixing with something najis or ḥarām, or its taste changes because of it, or its smell changes because of it, then, at that point, we are unable to use the ḥalāl except by using the ḥarām. And using the ḥarām whether in eating, drinking, or prayer is ḥarām, as we have said.

So it must be avoided not because the pure ḥalāl has become prohibited, nor because its essence has become najis, if we are able to separate the ḥalāl ṭāhir from the ḥarām and najis, then it would be ḥalāl.

This is if the attributes have changed, as for when it mixes without it changing the attributes then it remains pure and ṭāhir because Allāh and his Messenger ﷺ have not burdened us with this as otherwise nothing would be pure as clarified before.

And also if the najāsah or ḥarām substance is on a pure object, and we remove it, then the najis does not become ṭāhir, and also not the ḥarām become ḥalāl. But it separated from the pure ḥalāl, so we are able to use that pure ḥalāl again, as it was.

Likewise, if the attributes of the exact najis or ḥarām thing change so that the name by which the ruling applied to it is invalidated,

and it changes to another name on a ḥalāl ṭāhir, then that is not the najis and also not the ḥarām substance, it has instead become something else with another ruling.

And likewise, when the attributes of the exact thing that is ḥalāl and ṭāhir then the name by which that ruling had come is invalidated and it moved to another name that can be something ḥarām or najis. It is then not that pure ṭāhir thing.

And instead became something else with a different ruling like how grape juice can become khamr, or khamr can become vinegar, or how a swine meat can change when a chicken eats it and becomes permissible chicken meat, or water becoming urine, or how pure food can become feces, and urine and feces liquids can be absorbed by soil and later emerge as permissible produce. And in this manner there are many.

Like a drop of water that falls into khamr, or a drop of khamr that falls into water, no trace for that appears. And in this manner for everything: A ḥkām are for Asmāʿ and the Asmāʿ follow the attributes which are limits whats in them that differentiate between its types (anwāʾ).

As for selling it and using it to make light from them, then selling a pure item remains permissible, as long as it is not mixed with ḥarām. It is permissible as it was before.

If it is said: "But some people forbid that (selling things that completely changed into something else by their new name) and do not allow taking it even if it is given for free, because concealing it is ghish (fraud) and fraud is prohibited, and religion is naṣīḥa."

We say: Yes, just as most people would not easily take a liquid that has come into contact with the saliva of someone with leprosy or someone who has put his hand in it, even if it is given for free. But this has no meaning according to anyone, none of that is ghish fraud. Ghish is only what is about the religion, and sincerity (naṣīḥa) as well, not in false assumptions that oppose the order of Allāh.

As for the rule regarding the urinating person, Abū Hurairah narrated, "The Messenger of Allāh ﷺ said: 'None of you must urinate in still water, that which does not flow, then clean from it.'"[115]

Abū Hurairah narrated, "The Messenger of Allāh ﷺ said: 'None of you must urinate in still water, then perform wudūʾ from it.'"[116]

If the Prophet ﷺ wanted to prohibit other than the one urinating in it he would not have remained silent on that, neither due to inability, forgetfulness, nor making it difficult by tasking us to acquire knowledge of the unseen.

As for the dog, the ruling has already been given before.

As for ghee (samn) Abū Ḥurayra narrated: "The Messenger of Allāh ﷺ was asked about a mouse falling into samn; he said: 'If it is solid, throw it away and what surrounds it; but if it is a liquid, do not approach it.'"[117]

The words 'mouse (faʿr),' 'snake (ḥayyah),' 'chicken (dajājah),' 'dove (ḥamāmah),' and 'weasel (ʿirs)' are names that in the Arabic language apply to both the male and the female.

And the statement of the Messenger of Allah ﷺ: "Remove it and what is around it," is decisive evidence that the mouse can only be dead as this is not possible for the living one.

If it is said: ʿAbd al-Wāḥid ibn Ziyād narrated —» Maʿmar —» al-Zuhrī —» Ibn al-Musayyib —» Abū Hurayrah this narration, and he said: "If it is melted or liquid, then use it for lighting," or he said: "Benefit from it."[118]

We say and with Allah the Exalted is success: ʿAbd al-Wāḥid doubted the exact wording of the ḥadīth as you can see, so it is established that he did not have ḍabṭ (precision) in this. And there is no doubt that ʿAbd al-Razzāq is more precise in narrating from Maʿmar.

---

[115] Ṣaḥīḥ Muslim 282, 95: Ṣaḥīḥ

[116] Al-Muṣannaf of ʿAbd al-Razzāq 299, 300, 1/89: Ṣaḥīḥ

[117] Sunan Abī Dāwud 3842, 3843: Ṣaḥīḥ

[118] Sharḥ Mushkil al-Āthār 5354, 13/392

And also, it is not differed from Maʿmar —» al-Zuhrī —» ʿUbayd Allāh —» Ibn ʿAbbās —» Maymūnah, and the one about whom there is no disagreement is more deserving of ḍabṭ than the one about whom there is disagreement.

As for what we rely upon in this matter: it is that narrations are correct. As for the narration of ʿAbd al-Wāḥid, it goes in accordance with what we would be upon if no narration had existed, because the default is the permissibility of benefiting from fat and other things by the statement of Allah the Exalted, "He created for you all that is in the earth." [al-Baqarah: 29]

As for the riwāyah of ʿAbd al-Razzāq, it is an additional sharʿ that abrogates the previous permissibility with certainty and no doubt.

And we are certain that if Allah the Exalted would have brought back the abrogated (mansūkh) ruling and nullify the abrogating (nāsikh) one, He would have clarified that in a way that removes all ambiguity. Allah the Exalted said, "That you may make clear to the people what has been sent down to them." [al-Naḥl: 44]

So the ruling based on the narration of ʿAbd al-Wāḥid is invalidated with certainty and no doubt. And with Allah the Exalted is success.

What is taken from around it is the least that can be taken and the thinnest in thickness, because this is what the phrase 'what is around it' applies to. As for what is beyond that, then it is part of what is ordered to be eaten and prohibited to be wasted."

And what must be taken from that which surrounds it is the smallest amount possible that can be taken, and the thinnest, because this is what the name 'that which surrounds it' occurs on. As for what is more than that, it is among what one is ordered to consume entirely, and prohibited to let it go to waste.

If it is said: "It has been narrated: 'Take from that which surrounds it the amount of a handful.'"[119]

[119] Al-Muṣannaf of ʿAbd al-Razzāq 283, 1/85: Ḍaʿīf as clarified

It is said: this narration has only come as mursal from the narration of Abū Jābir al-Bayāḍī who is a fabricator, from Ibn al-Musayyib, and from the narration of Sharīk ibn Abī Namīr who is weak from ʿAṭāʾ ibn Yasār. Both Sharīk and Abū Jābir Muḥammad ibn ʿAbd al-Raḥmān al-Madanī are weak, and no ḥujjah establishes by a mursal narration even if it is narrated by reliable thiqāt, then how from the weak?

And it is not permissible to rule this ruling to something other than a mouse in other than ghee. And also not a mouse in other than ghee and also not something other than a mouse in ghee with the ruling of ghee. Because there is no naṣṣ for any of that.

And it is impossible that the Messenger of Allah ﷺ would intend a ruling for something other than a mouse in the case of something other than fat, then remain silent about it and not inform us of it, entrusting us to knowledge of the unseen and making us speak of what we do not know about Allah, for which He is above.

And he ﷺ is never unable to say if he wants, "If the najis or prohibited matter falls into a liquid, then do such-and-such."

Exalted is Allāh that he ﷺ would leave clarification of what His Lord ordered him to convey. This is falsehood, whose falsehood decisively established without doubt.

If it is said: "It has been narrated: 'The Messenger of Allah ﷺ was asked about a female mouse that fell into your cooking pot. He ﷺ said: 'Throw it away along with what surrounds it if it is solid.' It was asked: 'What if it was liquid?' He ﷺ said: 'Benefit from it, but do not consume it.'"[120]

We say: This is narrated by none other than ʿAbd al-Jabbār ibn ʿUmar who is nothing. Also, the narration only mentions a mouse in wadak. It has been said that wadak in the language is samn and maraq only and dasam is for shaḥm.

[120] Al-Ḍuʿafāʾ by al-ʿUqaylī 3/87: Ḍaʿīf as clarified

Abū Ḥanīfah and Mālik made a difference between what has blood and dies in liquid and what does not have blood and dies in it, this is a difference for which there is never a Qurʿān or an authentic Sunnah for. They only have a weak false narration attributed to the Prophet ﷺ, "Every food and drink in which a creature that has no blood falls and dies, it is permissible to eat it, drink it, and use it for wuḍūʾ." That are not free from the weak like Baqiyyah ibn al-Walīd, whom no one whose saying matters has ever made an independent ḥujjah and besides his tadlīs which does not harm him he has a lot of awhām[121] and a lot of manākīr[122].

If they mention the Ḥadīth from the Prophet ﷺ, "If the water reaches two qullahs, nothing makes it impure and it does not carry impurity (khabath)."[123]

And if they say, "So this ḥadīth indicates that water can take impurity except if it reaches a certain threshold."

They say, "So two qullahs are as a defined limit for when water does not become impure from what falls into it."

This is false because dalīl ul-khiṭāb is false. There is not in any of this narration any naṣṣ or dalīl that less, more or other than qullahs can become najis and also not that it cannot become najis. The matter instead remains upon the clarification as before because there is nothing in this that obliges najāsah for it.

And also, Allāh said, "We send down from the sky pure water." [Al-Furqān: 48]

And the Prophet ﷺ, "Its soil is made pure for us if we do not find water."[124]

So he ﷺ made all water general and did not specify. The matter would be as we said even without these texts, then how when there have come texts about it as we said.

---

[121] Al-Abāṭīl 1/530

[122] Suʿālāt Abī Dāwūd 303

[123] Sunan Abī Dāwūd 63: Ṣaḥīḥ

[124] Ṣaḥīḥ Muslim 522

Al-Shāfiʿī said: If a pig drinks from a vessel, its ruling is the same as the ruling of when a dog laps from it: it must be washed seven times, one of which is with soil. But if a wild beast drinks from it, then it is not washed, nor is it to be discarded."[125]

So, he made qiyās between the pig and the dog, but did not make a qiyās between the wild beasts and the dog, while the dog is one of them.

Some of those who make taqlīd of him for this mention the narration attributed to the Prophet ﷺ when he was asked, "Do we perform wuḍūʾ with what the donkeys have left over." He ﷺ said, "Yes, and with what all the wild beasts leave over as well."[126]

This is weak as Dāwud ibn al-Ḥuṣayn is weak[127]

The strangest thing is that they differentiate between running and stagnant water. They argue that if running water is mixed with impurities while its rear remains pure, they can be certain that the impurity flowed away. They allow the use of the water that has a flow, even though the impurity initially mixed with it. They are part of the exact thing which they rejected initially.

If they say, "We do not differentiate between running and stagnant water (for any reason), except that there is a prohibition (from the Prophet) only regarding urinating in stagnant water."

We say: You are right, this is the truth, and in this exact manner from that narration we make a difference between the prohibition mentioned regarding the urinator and between anyone who is not included in the prohibition, and they are anyone that is not directly the urinator. There is no way for an evidence to make a difference between that which they take from the narration and between that which they abandoned, and Allāh is the One Who brings the success.

Abū Ḥanīfah said, "If one side of water in a pond is moved and the other side after that movement does not move, then if anyone

[125] Al-Umm 2/11

[126] Musnad al-Shāfiʿī 1/8

[127] Al-Jarḥ wal-Taʿdīl of ibn Abī Ḥātim 3/408

urinates in it however he wants, he can use it for wuḍūʾ and ghusl, if it is less than that (a pond), then it is not allowed to use it for wuḍūʾ and ghusl."[128]

He added to the narration what is not part of it such as prohibiting the one that did not urinate, he opposed the narration by permitting it in some cases of much and less water, and for the urinator to use it for wuḍūʾ and ghusl. The same for Al-Shāfiʿī regarding water if it is two hundred twenty-five liters or less than two hundred twenty-five liters[129], he opposed the narration just as Abū Ḥanīfah opposed it and added to it just as Abū Ḥanīfah added. As for Mālik, he opposed everything, he said, "If the water does not change with his urine, then he can make use of it for wuḍūʾ ghusl." And in sometimes he added, "If the water is a lot."[130]

So their reliance to this narration is completely invalid, because of their oppositions to it. As for us, we take from it just as it is mentioned, and All Praise is for Allāh.

As for them defaming us for making a difference between the urinator mentioned in the narration and the non-urinator who is not mentioned in the narration and between the rat that enters ghee which is mentioned in the narration and between him entering oil or something prohibited entering ghee which is also not mentioned in the narration, it is all a baseless, false defamation, all of which returns back to them. If they would contemplate on their own words, they would have known that they are the wrong ones for making a difference between the urinator mentioned by the texts and the non-urinator which is not mentioned by the texts. Our differentiation between the urinator and the non-urinator is not different from the differentiation you made regarding stagnant water mentioned in the narration and running water which is not mentioned in the narration. Otherwise, tell us, what is that which obliges a difference between stagnant and running water, but

[128] Al-Natf Fī Al-Fatāwa 1/6 | Al-Mabsūṭ 1/70-71

[129] Al-Umm 2/11

[130] Al-Tafrīʾ 1/216-217 | Al-Nawādir Wal-Ziyādāt 1/75-76

does not oblige a difference between the urinator and the non-urinator? Anything that is mentioned in the narration does not transgress with its ruling to that which is not mentioned in it without other texts. And like how they differentiate between the one plundering water, and it becomes prohibited for him to drink it and use it, while it is permissible for the one that did not plunder it, is the one that urinates and the one that did not urinate, nothing but like the fornicator and the non-fornicator, the stealer and non-stealer, the consumer of khamr and the non-consumer of khamr, the praying person and the non-praying person? Everything has its term and ruling. Is there anything more hideous and an apparent mistake than when there is a clear text regarding the urinator, that it is changed to the ruling of the non-urinator? Is this not like changing the ruling of the stealer to the non-stealer, the ruling of the fornicator to the non-fornicator, and the ruling of the praying person to the non-praying person? We seek refuge in Allāh from this.

If they were to only listen to their own selves, the mālikiyyah and shāfiʾiyyah would reject their own differences between touching the private part with the palm which invalidates the wuḍūʾ and between the touch with the back of the hand which does not break the wuḍūʾ[131]. And the mālikiyyah would have rejected their own difference between the ruling of the noble woman and the low woman regarding marriage[132]

Allāh never made a difference between the private parts regarding taḥlīl, taḥrīm, ṣadāq and ḥadd. And the mālikiyyah and shāfiʾiyyah would have rejected their difference regarding the ruling of dried dates and unripe dates regarding ʾarāyā[133].

And the mālikiyyah make a difference with us regarding what a dog enters his tongue into and what he enters his tail into. They also make a difference between the urine of the cow and the urine of the

[131] Al-Ḥāwī Al-Kabīr 1/197 | Al-Mudawwanah 1/118 | Al-Istidhkār 3/35

[132] Al-Istidhkār 16/35, 16/47 | Al-Tahdhīb Fī Ikhtiṣār Al-Mudawwanah 1/146

[133] Tahdhīb Ibn Al-Baradhiʿī 3/339

horse[134] while no text has declared this difference. The worst is them differentiating regarding the excrement of chickens that are free and chickens that are confined[135].

And their difference between the urine of a sheep if it drinks impure water and between the urine if it drinks pure water. They also make a difference between beans and between itself. They make it for zakāh with lathyrus one type[136], while they make them two different types regarding sales[137].

Every single one with intellect knows that the difference between the urinator and the defecator has come with the texts by mentioning only one without the other. This is a clearer difference between beans of yesterday and beans of today for which no texts exist at all (and any of their other differences).

And the shāfiʾiyyah make a difference between urine of that comes out the urethral meatus, they believe this part cannot become pure except with stones, and between the exact same urine if it reaches the glans penis which cannot become pure except with water[138].

And they make a difference between the urine of the infant and between his excrement, regarding sprinkling water (on the urine) and washing it (as no washing is obligatory for urine). This is the exact same thing they rejected about us. And those ḥanafiyyah make a difference between the urine of sheep in wells, which invalidates any usage of it and between the exact same amount (which invalidates usage of that) if that exact same urine falls on the clothes, which does not invalidate (using it). And they make a difference between the urine of camels in a well which invalidates it even if it is one drop, and between the excrement of a camel, which does not invalidate the water.

---

[134] Al-Mudawwanah 1/128, 1/116 | Al-Nawādir Wal-Ziyādāt 1/82, 1/80, 1/85

[135] Al-Mudawwanah 1/116 | Al-Nawādir Wal-Ziyādāt 1/70

[136] Al-Mudawwanah 1/384

[137] Al-Istidhkār 20/34-35

[138] Al-Umm 2/50 | Al-Awsaṭ 1/474-475

This is the exact same thing they opposed us on. They also make a difference between the excrement of horses which occurs on clothes if it is more than the amount of a dirham, it invalidates the prayer, and between the urine of the exact same horse which occurs on clothing, which does not invalidate the prayer, except if that urine covers one fourth of the clothing according to Abū Ḥanīfah and the amount of the distance between the tip of the pinky finger and the thumb according to Abū Yūsuf Al-Ḥanafī, which invalidates it only then[139]

And Zufar Al-Ḥanafī said, "The urine of the animals which is permissible to be eaten is all pure but its excrement is impure."[140]

And this is the exact same thing which they rejected about us. They also make a difference between the amount of vomit that fills the mouth and that the amount that does not fill the mouth[141].

They also make a difference between urine on the body, which cannot get cleaned by anything other than water and between urine on the clothes which can get cleaned by other than water.

If we would continue, it would fill an entire book.

If they say, "Who said this view of yours that there is a difference between the urinator and the defecator stagnant water before you?"

We say: The Messenger of Allāh, who did not come with falsehood, when he clarified us the ruling of the urinator and remained silent regarding the defecator and the one that spits in it and the one that blows his nose out in it. But instead you tell us: Who from the children of Ādam made any of your differences before you? From the difference between the urine of sheep in the well and its urine on clothes and the urine of sheep on the body and its urine on the clothes and between the urine of the sheep that drinks impure water and the sheep that drinks pure water and between the urine on the urethral

---

[139] Al-Aṣl 1/73, 1/83 | Al-Mabsūṭ 1/54-55

[140] Mukhtaṣar Ikhtilāf Al-ʿUlamāʾ 1/130-131 Al-Istidhkār 3/213

[141] Al-Aṣl 1/63 | Mukhtaṣar Ikhtilāf Al-ʿUlamāʾ 1/162

meatus and glans penis, and every other difference mentioned. This is that which no one has ever said before you. And all praise is for Allāh, the Lord of all that exists. We do not reject a saying directly from the Qurʿān and sunnah, even if we do not know anyone that said it. This is what they reject and do, the blame is upon them, not necessary on us. We only reject with the utmost rejection a saying in the religion of Allāh, and against Allāh, which Allāh and His Messenger said, this is, by Allāh the actual munkar, even if the everyone on earth said it.

They said to us: "What is your saying regarding khamr, or blood, or urine falling into water, and nothing of that becomes evident through taste, color, or odor in the water, has the khamr, urine, or blood become water? Or does all of that remain as it was?" If it has all turned into water, then how? And if each of those remain as it was, then you have made khamr, urine, and blood permissible and that is a grave matter and an opposition to Islām."

The answer: All of creation is one jawhar (essence), from which its parts differ through their aʿrāḍ (pl. ʿaraḍ: accidents) and attributes only.

And in accordance with the variation of the attributes of each part of all creation, the names of those parts differ, and based on those names the rulings of Allah in the religion apply. And upon them is built all human speech and mutual understanding in every language.

So grapes are grapes not raisins, and raisins are not grapes, and grape juice is not grapes and also not wine and wine is not grape juice, and vinegar is not khamr.

And the rulings for all of these things differ while the exact thing that carries it remains one. Every one of those items has attributes by which its limit is established. As long as those attributes remain in a thing, it is water and has the ruling of water.

When those attributes cease from the thing, it is no longer water and no longer has the ruling of water. The same applies to blood, khamr, urine, and everything in creation, each nawʾ has attributes, as

long as it is in it is khamr with the ruling of khamr, or blood with the ruling of blood, or urine with the ruling of urine, or any other one.

And when those attributes depart, the thing is no longer khamr, nor water, nor blood, nor urine nor the thing the name occurred because of the attributes on it.

So, when khamr or urine or blood falls into water or into vinegar, or into milk, or into anything else, if the attributes because of which those things khamr was called khamr, blood was called blood or urine called urine are invalidated, and only the attributes of the thing into which they fell remain, then the material into which it fell is not khamr, nor blood, nor urine. It is instead water or milk or vinegar, as the case may be. And the same applies to everything.

So if the fallen thing dominates such that its attributes remain while the attributes of the water, milk, or vinegar disappear then the resulting thing is no longer water, nor milk, nor vinegar. It is instead urine, or wine, or blood.

And if the attributes of what fell remain and the attributes of what it fell in is not invalidated, then it is water and wine; or water and urine; or water and blood; or milk and urine; or blood and vinegar and so on, in every case.

It has not been prohibited for us to use the permissible portion of such a mixture if we are able to extract it from the prohibited, if it mixed in a way that changes color, taste or smell. But if we are unable to use it except by also using the ḥarām part, then we are simply incapable of using it, and nothing more. Otherwise, it is pure (ṭāhir), purifying (muṭahhir), and ḥalāl by its own measure, as it originally was.

And in this manner for everything in the creation. Blood changes into flesh and at that point it is flesh, not blood, and the thing is one. And flesh can change into fat and it is then no longer flesh, but fat, while the thing is one.

Manure, feces, urine, water, and soil, all of these are transformed in the palm tree into leaves and ripe dates. At that point,

none of them are manure, nor soil, nor water, instead, it becomes permissible and pure dates.

While the thing was the same. And this is the case with all plants. And water changes into rising vapor (air) and solid salt, and it is then not water and then it is not permissible to perform wuḍūʾ with it. While the original substance/thing was the same.

Then that vapor and that salt change back into water. Then it is no longer air or salt; it is pure permissible water, permissible for wuḍūʾ and ghusl.

So if you deny this, and claim that even if the attributes disappear, the essence remains the same, then you are implied without escape to permit wuḍūʾ with urine, since it is just transformed water, without doubt, and also with sweat, as it is also transformed water.

And you are also be compelled to prohibit fruits that are nourished by dung or human waste, and the meat of chickens, since they are transformations from things that were originally prohibited.

And if they say: "But we find that when blood is dropped into water, or wine, or urine, no color or smell or taste appears, and then if we add more and more, its qualities start to show, then why didn't the second become water as the first is?"

We say to them: This question is not for us to answer, but you are following your blameworthy habit of questioning and challenging Allah's rulings and actions. So it is He you question not us, for He is the One who made the first thing permissible and did not permit the second, as He willed, not us. And His answer to you for this question will come on the Day of Judgement, in a way that will cause lasting regret to the one who asked it. For Allah has prohibited this type of question, as He says, "He is not to be questioned about what He does, but they will be questioned." [Sūrat al-Anbiyāʾ: 23]

And we will still answer you, standing firm for the sake of Allah as He ordered us, where He says, "Be upright for Allah." [Sūrat al-Māʾidah: 8]

We say to you: This is the creation of Allah, He created it all from those things, just as He willed. None can reverse His judgment, and He is not questioned about what He does.

And we observe that water is drawn up by the air through evaporation until it becomes ascending vapor, and it is no longer water at all.

Then, when the water that transformed into vapor accumulates in the sky, it returns to being water again just as it was, and Allāh sends it down from the clouds as water. And this is exactly the same as your argument against us, that blood disappears in water, or that silver is hidden within copper, and then when it is followed up, their traits reappear.

There is no difference between this foolish question and someone who asks: "Why did Allāh create water to perform wuḍūʾ with, and not make rosewater suitable for wuḍūʾ? Why did He make prayer toward the Kaʿbah, and Ḥajj there, and not to Kaskar, or to al-Faramā, or to al-Ṭūr? Why did He make Maghrib three rakaʿāt, and Fajr always two rakaʿāt in all circumstances, and Ẓuhr four when at home? Why did He create the donkey with long ears, and the camel with short ones, the mouse with a long tail, and the fox as well, but the goat and the rabbit with short tails? Why does man pass wind from below, yet he must wash his face, arms, wipe his head, and wash his feet, but not the exit part of that wind?'

All of these are not the questions of rational Muslims, nor are they the objections of ʿulamāʾ. They are the questions of foolish atheists and the idiots, the confused ignorants.

And when we bring you, and all our opponents to observation and senses about how names change with the change of attributes by which limits are established, Then We showed you the falsity of the attributes by which those names are not assigned according to you, to us, and to everyone on the face of the earth, past and present, to those names, except when those attributes are present. Then we showed you the decisive evidences that Allāh is the Creator of all of that, as it is,

according to His will then your entire objection is nothing but delusion and falsehood that leads to kufr.

So they say, “What do you say about silver that has been mixed with copper, but the copper has left no visible trace in it and also not any effect? Is zakāh given on its weight and must it be sold as pure silver by weight or not?”

We say: The saying in this matter is the same as the saying regarding water with no difference.

If the attributes of silver remain in it as they were, and no trace of copper appears in it, then zakāh is based on its weight, and it is sold as silver, by weight, not for less, not for more, and not on nasīʿah.

But if the attributes of copper dominate, such that no trace of silver remains in it, then all of it is pure copper, and no zakāh is obligatory on it at all, whether the amount of silver that had transformed into it was much or little.

And it is permissible to sell it for silver with naqd or nasīʿah for less, equal, or more than the silver it once contained.

But if the attributes of both silver and copper appear together, then it is a composite of silver and copper. Zakāh is only on the portion that is silver, specifically if it reaches five awāq. otherwise, there is no zakāh, just as if it were pure silver.

And it is not permissible to sell that mixture for pure silver at all not for the amount of silver it contains, nor for less, nor for more, and also not on naqd or nasīʿah because we are not able to establish equivalence by weight in such a case.

That mixture, however, may be sold for gold, but only by naqd, not on nasīʿah.

Then they ask about, “A pot in which khamr was cooked, or in which urine, blood, or feces was thrown, yet no trace of any of that remained, what is the ruling?”

We say: Whoever deliberately throws any of that into the pot is a sinner, disobedient to Allah , because he used something prohibited, which he is ordered to avoid.

As for when that is nullified, then what is in the pot is permissible to eat, because it contains none of the prohibited substances at all. And Allah has nullified those prohibited elements and transformed them into something permissible.

Then we turn this question back on them, about a vinegar container in which khamr is thrown but no trace of the khamr appears?

Their answer is, "That which is in the container is entirely ḥalāl."

So, this is a contradiction from them and an acknowledgment of the exact thing they condemned us for so they deserve condemnation, because they considered him a ḥujjah, while we do not nor did we glorify him. And all praise is for Allah.

As for their later ones, when they saw that they could not uphold this madhhab because of its corruption and absurdity, they fled to another position and said, "We do not distinguish between a large pool, a sea, or anything else. Instead, the ruling is based on the dominance of presumption and opinion regarding the water used for wuḍūʾ and ghusl. So if we are certain, or it predominates in our assumption, that impurity has mixed with the water, then its use is prohibited, even if it is sea water. But if we are not certain, and there is no strong assumption that impurity has mixed with it, then we perform wuḍūʾ with it."

This position is even more corrupt than the one they abandoned, for many reasons. First: They themselves acknowledge that this is a judgment based on presumption (ẓann), and this is prohibited.

For Allah said, "They follow nothing but conjecture, and indeed conjecture is of no avail against the truth." [al-Najm: 28]

And the Messenger of Allah ﷺ said, "Beware of ẓann for indeed ẓann is the most false of speech."[142]

[142] Ṣaḥīḥ al-Bukhārī 5143: Ṣaḥīḥ

And there is no one in a worse state than one who issues rulings in the religion of Allah which is pure truth based on presumption, while admitting that he cannot be certain of it.

Second is that We say to them: Just as you presume that impurity did not mix with it, presume that it did mix, and then avoid it, since judging based on presumption is one of your principles. So what makes one side of a presumption more valid than the other?

Third: Your claim is mere ruling by desires without any evidence. And anything that is like that is false.

Fourth, we ask them: Define for us what you mean by this 'mixing of impurity' with water.

It is not possible to understand it, nor do you, nor does anyone else in the world, and all praise is due to Allah. If you mean that every part of water is next to a part of impurity (adjacency) then this is not mixing, it is adjacency. And that is impossible except if the amount of najāsah is exactly equal to the amount of water. Otherwise, there remain particles of water that did not come into contact with any impurity.

If they say, "All of that water becomes impure, even if some parts of it did not come into contact with impurity."

We say: Then this implies against you about the entire ocean if a single drop of urine fell into it without difference.

If they refuse that, we say: Then make a limit for us with the exact quantity of impurity that, when exceeding a specific quantity of water, must necessarily rule it impure. And if they proceed to set a limit, then they are increasing in misguidance and delusion. But if they do not do that, then they have abandoned their own position, which remains as corrupt, unknown, and impermissible to speak of in religion as the ruling on a dead animal (maitah).

And also, if the ruling according to you is based on ghālib al-ẓann then you are implied that you must say regarding a cup that contains two ūqiyyahs of water, into which an amount equivalent to a small splash of dog urine has fallen: only the portion of water that can

be mixed with that impurity becomes impure, and that applies only to the volume that the impurity could reach. The rest of the water in the cup remains pure (ṭāhir), permissible (ḥalāl) to drink from and to use for wuḍūʾ.

And similarly, if in a cistern there is a kurr of water, and an ūqiyyah of urine falls into it, then based on your principle, only the amount which that ūqiyyah of urine actually mixes with becomes impure, and the rest remains pure, purifying, and permissible.

We and you both are certain that it does not mix with even a tenth of the kurr, nor even a tenth of a tenth of it.

So, if you commit to this, then you have departed from all your former and current madhāhib, which are nothing but corrupt ideas that corrupt the brain.

But if you return to claiming that whatever is near impurity becomes impure, then you are implied to apply the same to what we cited from the Nile and the Oxus and to every flowing water source, because its parts are connected, and then, if one part becomes because of contact with impurity, then all of it must be ruled impure, yes, even the sea, from a single drop of urine that falls into all of it. So, choose what you will.

If they say, "We are not certain that the great river or the sea has become impure, nor that the one performing wuḍūʾ with it has used water that mixed with impurity."

We say: This exact uncertainty is also present in the cistern, in the well, in the large container, and in the cup containing ten arṭāl of water, if no trace of impurity is apparent in any of it and there is no difference.

There is no certainty that all the water in these cases has become impure, nor that the one performing wuḍūʾ with it or drinking from it has used or consumed something impure.

And also even if things were exactly as they claim, there would still be no obligation to consider the pure and permissible water or liquid as impure only because of its closeness to impurity or the ḥarām,

as long as it does not carry the properties of that which is ḥarām or impure. And with the help of Allah the Most High is all success.

I saw some of those who spoke in fiqh and leaned toward rational speculation saying, "Any water into which impurity falls, as long as no trace of that impurity appears in it whether the water is little or much, the ruling is the same: whoever performs wuḍūʾ with all of that water or drinks it excluding only the specific amount in which the impurity fell, his wuḍūʾ is valid, his prayer is complete, and drinking it is ḥalāl. And also ghusl with it, because there is no certainty that he used impurity or drank something ḥarām. But if he used up all of the water, then there is no wuḍūʾ or ṭahārah for him, and he is sinful for drinking it, because we are certain that he used impurity and drank what is ḥarām. The same applies to the sea and whatever is less than it, without difference. So if two or more people make wuḍūʾ with that water and use it all up either through bathing or wuḍūʾ or drinking, then each one of them, his wuḍūʾ, ghusl, or drinking is valid. But among them is someone whose wuḍūʾ or ghusl is not valid, but I do not know specifically who that is, so I do not obligate anyone among them to repeat wuḍūʾ or ṣalāh based on mere conjecture."

I debated the one speaking of this view may Allah have mercy on him, regarding this issue and implied him, based on another principle of his own, which he adhered to, that he must order all of them to repeat wuḍūʾ and ṣalāh. Because each one of them is not certain of being in a state of purity and is instead in doubt about it. Instead, based on our principle and the principle of every Muslim, each of them is certain of a state of ḥadath and in doubt about purity. So what is obligatory upon him is to establish certainty of purity. And I also showed him the falseness of his first claim by what we have already preceded from rulings changing by the changing of names, and that names change due to changes in attributes, and from those attributes arise the limits.

And I said to him: Differentiate between what you have permitted here and between two containers, one with water and the

other with juice from some tree; and between two pieces of meat, one from a pig and the other from a ram; and between two sheep, one properly slaughtered (madhkīyah) and the other killed by a predatory animal (maitah). And he was not able to distinguish between any of those things at all.

Issue: Urine of Any Animal

The urine of any animal, whether human or other than human, whether its meat is permissible to eat or not, like what we mentioned before, or whether it is from a bird whose meat is permissible or not, all of that is ḥarām to consume, whether through eating or drinking, except in cases of necessity such as for medical treatment, ikrāh, hunger, or thirst only.

It is obligatory to avoid it in matters of ṭahārah and ṣalāh, except in cases where avoidance is not possible without hardship in which case it is excused such as the droppings of flies and the feces of fleas.

Dāwūd said, "The urine and feces of every animal whether its meat is eaten or not is ṭāhir, except for the urine and feces of the human only; these two are najis."

As for the saying of our companions (of Dāwud), they argued, "Things are pure (ṭāhir) by default, until a text comes prohibiting it or declaring something as najis. There is no text on the impurity of the urine or feces of any animal, except the human being. So it is obligatory not to declare anything from that impure."

They mentioned what Anas narrated, "A group from ʿUkl and ʿUraynah came to the Messenger of Allah ﷺ and professed Islām. They said: 'O Messenger of Allah, we were a people of grazing animals and not of cultivation, and they found the climate of Madīnah unsuitable.' So the Messenger of Allah ﷺ gave them a herd and a shepherd and ordered them to go out with them and drink from their milk and urine."[143]

[143] Ṣaḥīḥ al-Bukhārī 4192, 5727: Ṣaḥīḥ

And what Anas narrated, “The Messenger of Allah ﷺ would pray in Madīnah wherever the prayer would reach him including in the pens (resting place) of sheep.”[144]

And what Ibn Masʿūd narrated, “The Messenger of Allah ﷺ was praying at the Kaʿbah while a group of Quraysh were sitting, having just slaughtered a camel. One of them said: ‘Who among you will take the entrails mixed with blood and wait until he prostrates and place it on his back?’ The most wretched of them went and did that. He waited until the Prophet ﷺ prostrated, then placed it on his back. Fāṭimah the daughter of the Messenger of Allah ﷺ was informed, while she was still a girl, and she came running and removed it from his back. When he finished his prayer, he ﷺ said: ‘O Allah, deal with Quraysh.’”[145]

And what ibn ʿUmar narrated, “I used to sleep in the masjid during the time of the Messenger of Allah ﷺ while I was a young unmarried man, and the dogs would urinate, come and go in the masjid, yet they would not sprinkle anything from that.”[146]

As for the āthār we mentioned, all of them are ṣaḥīḥ except that they are not a ḥujjah.

As for the ḥadīth of Ibn ʿUmar, it is not musnad, because there is not in it that the Messenger of Allah ﷺ knew of dogs urinating in the mosque and approved and acknowledged it.

As that is not in the narration, it is not a ḥujjah, only the words or actions of the Prophet ﷺ or what is authentic that he knew then acknowledged it. So using this as argument is invalidated. So this narration is invalid as argument.

And it implies against the one who wants to argue using the ḥadīth of Abū Saʿīd, “We used to give zakāt al-fiṭr in the time of the Messenger of Allah a ṣāʾ of ṭaʿām,”[147] to accept this ḥadīth, because

---

[144] Ṣaḥīḥ al-Bukhārī 428, 3932: Ṣaḥīḥ

[145] Ṣaḥīḥ al-Bukhārī 240, 520: Ṣaḥīḥ

[146] Sunan Abī Dāwud 382: Ṣaḥīḥ

[147] Ṣaḥīḥ al-Bukhārī 1506, 1508: Ṣaḥīḥ

the Prophet ﷺ is more likely to have known and approved that than he would have approved and known the actions of Banū Khudrah in some part of Madīnah.

As for the ḥadīth of ibn Masʿūd from the Prophet ﷺ there is no ḥujjah for them in it because there is in it that the camel's entrails had blood upon them; and this is not a dalīl according to them on the purity of blood, it is from falsehood to use it as evidence for the purity of entrails without with it establishing the purity of blood. Both are mentioned together.

Also, Shuʿbah, Sufyān, and Zakariyyā ibn Abī Zāʾidah all narrated this same narration from Ali ibn Ṣāliḥ (Abū Isḥāq) —» ʿAmr ibn Maymūn —» Ibn Masʿūd and they said it was camel entrails. They are more reliable and observant than Ali ibn Ṣāliḥ, and their narration has an addition over his.

What is decisive is that this was from Makkah before the ruling prohibiting feces and blood had been revealed, so it was abrogated, and is invalidated in every case.

As for the ḥadīth of Anas about praying in the sheep pens, they said, "The pens are never free of sheep urine and dung."

So we say: as for your claim that it is never free from urine and dung, the shepherd may also urinate and that is not an evidence for the purification of the urine of humans.

And also ʿĀʾisha narrated, "The Messenger of Allah ﷺ ordered building mosques in 'dawr' and that they must be fragranced and cleaned."[148]

And dawr are houses (suknā) and also districts/neighborhoods (maḥallāt). The Arabs say, "Dār Banī Sāʿidah," "Dār Banī al-Najjār," "Dār Banī al-Ashhal," and in this manner the Prophet ﷺ said it and it is likewise in the language of the Arabs. So it is established that he ﷺ ordered that the masājid must cleaned and perfumed. This necessitates cleaning them from all urine, feces and others.

---

[148] Sunan Abī Dāwud 455: Ṣaḥīḥ

Anas ibn Mālik narrated, “The Messenger of Allah ﷺ had the best character. Sometimes, when the prayer was about to begin, he would order that the mat beneath him be swept and sprinkled (with water), and then he would lead the prayer and we would follow him.”[149]

So this is his order ﷺ to sweep and sprinkle with water whatever is prayed upon, and that is for nothing other than najāsah as it is left ambiguous and we know from the words of Anas that it did not occur always and also by necessity that it did not always occur, so his order is established on all najāsah.

Also, this same ḥadīth is narrated through ʿAbd al-Wārith —» Abū al-Tayyāḥ —» Anas[150].

And it is narrated by Anas: “The Prophet ﷺ used to pray in the sheep pens before the masājid were built.”[151]

So it is established that this (ruling) was at the beginning of the Hijrah, before the rulings of the narrations obliging the avoidance of all excrement and urine.”

And also, there is the ḥadīth from Abū Hurayrah who said, “The Messenger of Allah ﷺ said: ‘If you do not find [a place to pray] except the resting places of sheep and the enclosures of camels, then pray in the sheep enclosures and do not pray in the camel enclosures.’”[152]

It was narrated to us from al-Barāʾ ibn ʿĀzib narrated, “The Messenger of Allah ﷺ was asked: ‘Can we pray in camel enclosures?’ He said: ‘No.’ He was asked: ‘Can we pray in the sheep pens?’ He said: Yes.’”[153]

ʿAbd Allāh ibn ʿAbd Allāh is a Kūfan thiqah who was the judge of Rayy.

ʿAbd Allāh ibn Mughaffal narrated, “The Messenger of Allah ﷺ said: ‘When you come upon sheep enclosures, then pray in them;

---

[149] Ṣaḥīḥ Muslim 659: Ṣaḥīḥ

[150] Ṣaḥīḥ al-Bukhārī 128, 428, 3932: Ṣaḥīḥ

[151] Ṣaḥīḥ al-Bukhārī 429: Ṣaḥīḥ

[152] Sunan ibn Mājah 768: Ṣaḥīḥ

[153] Musnad Aḥmad 18703, 30/631-632: Ṣaḥīḥ

and when you come upon camel resting places, then do not pray in them, for indeed they were created from the devils.'"[154]

So if his ﷺ order to pray in the sheep enclosures would be a ḥujjah for the purity (ṭahārah) of their urine and dung, then his ﷺ prohibition of prayer in the camel enclosures would be a ḥujjah for the impurity (najāsa) of their urine and dung.

And if his ﷺ prohibition from praying in camel enclosures is not a ḥujjah for the najāsah of their urine, then likewise his ﷺ order to pray in the sheep pens is not a ḥujjah for the purity of their urine and dung.

And whoever distinguishes between the two is ruling with desires. No one without waraʾ is incapable from taking the second part and ignore the first part, using the same type of argument as his.

And if someone says, "The Prophet ﷺ only prohibited praying in camel enclosures because they were created from the devils, as is mentioned in the ḥadīth."

So what? None of this implies anything against what we have established?

As for the ḥadīth of Anas about the urine and milk of camels, there is no ḥujjah in it for them, because the Messenger of Allah ﷺ only permitted the ʿUrānīyyīn to drink camel urine and camel milk as a means of treatment from illness, as narrated by Anas ibn Mālik, "A group of eight people from ʿUkāl came to the Messenger of Allah ﷺ and pledged allegiance to him for Islam. They camped on the land, and their bodies became ill. They complained about that to the Messenger of Allah ﷺ, who said: 'Do you not go out with our shepherd to his camels so that you drink from their urine and milk and you will be cured?' So they killed the shepherd and drove the camels away."[155]

The narration with this wording is weak because Abū Rajāʾ is majhūl al-ḥāl.

---

[154] Sunan ibn Mājah 769: Ṣaḥīḥ

[155] Ṣaḥīḥ Muslim 1671, 10: Ḍaʿīf as clarified

What is authentic is what Anas narrated without Abū Rajāʾ, "Some people from the tribe of ʿUkl came to the Prophet ﷺ and accepted Islām. Then they were afflicted by jawā (a sickness, when it becomes prolonged. This occurred because its air did not agree with them, and they found it disagreeable or harmful) from al-Madīnah, so the Prophet ﷺ ordered them to go to the camels of charity and drink their milk and urine. They did that, and recovered. Then they apostatised, killed the shepherds, and drove off the camels. The Prophet ﷺ sent (a group) in pursuit of them, and they were brought (back). He ﷺ then ordered that their hands and feet be cut off and their eyes branded with heated iron, and they were left without cauterisation until they died."[156]

The ḥadīth establishes with certainty that the Messenger of Allah ﷺ ordered them to do that as a treatment for the sickness that afflicted them, and that their bodies became healthy through it.

And tadāwī (treatment) is a ḍarūrah, and Allah the Exalted said: "And He has explained to you in detail what He has forbidden you, excepting what you are compelled to [consume]." [al-Anʿām: 119].

So whatever a person is compelled to, it is not prohibited for him in food and drink.

If it is said, "Ṭāriq ibn Suwayd narrated about the Messenger of Allah ﷺ about khamr and he prohibited it, then he asked him again and he forbade it. He said: 'O Prophet of Allah, it is a medicine.' The Prophet ﷺ said: 'No, rather it is a disease.'"[157] And Abū Hurairah narrated, 'The Prophet ﷺ prohibited filthy medicine.'[158]

And what is narrated from Umm Salamah from the Prophet ﷺ: 'Indeed Allah has not made your cure in what He has prohibited you.'"[159]

---

[156] Ṣaḥīḥ al-Bukhārī 6802: Ṣaḥīḥ

[157] Ṣaḥīḥ Muslim 1984, 12: Ḍaʿīf as clarified

[158] Sunan al-Tirmidhī 2045: Ṣaḥīḥ

[159] Musnad Abī Yaʿlā 6966, 12/402: Ḍaʿīf as clarified

All of this is not a ḥujjah for them, because the ḥadīth of ʿAlqamah ibn Wāʾil, the one of Ṭāriq ibn Suwayd came through Simāk ibn Ḥarb who is discarded for his weakness. Whoever claims that the weakness of Simāk is only his iḍṭirāb through ʿIkrimah and that his weakness was only at the later times of his life has lied. As for the claim that his weakness only occurred in the later part of his life, this is rejected because he Shuʿbah and Sufyān were without difference the early ones to narrate from Simāk and they are the ones that described Simāk with a mufassar jarḥ, that he accepted talqīn[160]. So their claim falls apart. As for the claim that his weakness was only iḍṭirāb through ʿIkrimah, it is rejected because he made mistakes in completely different places, for matters not related to making isnād falsely[161]. And then he is described not only with jarḥ by iḍṭirāb but also weak memory, talqīn and many mistakes. So he must be discarded

And even if it would be authentic, it would not be a ḥujjah because there is in it that khamr is not a medicine. And if it is not a medicine, then there is no difference between us that what is not a medicine is not permissible to consume if it is prohibited.

Our disagreement with them is only regarding medicine.

As for the narration, "Indeed Allah has not made your cure in what He has prohibited you," as mentioned as mentioned, this is weak, it has not come except from Ḥassān ibn Mukhāriq and he is majhūl.

As for the ḥadīth attributed to the Prophet ﷺ that, "He ﷺ prohibited filthy medicine," as mentioned then yes, it is true. But what Allah has permitted in times of necessity is not filthy in that situation; it is instead ḥalāl and ṭayyib (pure), because the ḥalāl is not filthy. So, it is established that the 'filthy medicine' is that which is deadly and feared. Certainty has come regarding the permissibility of consuming a maitah and swine in cases of fear of perishing from hunger. So Allah has made our cure from destructive hunger lie in that which He has

[160] Al-Kāmil fī al-Ḍuʿafāʾ 4/541

[161] Musnad Aḥmad 2977, 5/125 | Al-Jāmiʿ al-Kāmil fī al-Ḥadīth al-Ṣaḥīḥ 12/28

made ḥarām for us outside of such circumstances. And we say: Yes, as long as a thing is ḥarām for us, then there is no cure for us in it. But if we are compelled to it, then it is no longer ḥarām for us at that moment, and instead ḥalāl, so at that time it is a cure for us. This is the clear meaning of the narration.

Allah said regarding what He made ḥarām upon us, “But whoever is compelled [by necessity], neither desiring it nor transgressing [its limit], then there is no sin upon him.” [al-Baqarah: 173]

And He also said: “And He has explained to you in detail what He has made unlawful for you, except what you are compelled to [consume].” [al-Anʿām: 119]

It has been authentically established that the Messenger of Allah ﷺ prohibited wearing silk, he ﷺ said: “Whoever wears silk in this world will have no share of it in the Hereafter.”[162]

Then it is established with certainty that he ﷺ permitted ʿAbd al-Raḥmān ibn ʿAwf and al-Zubayr ibn al-ʿAwwām to wear silk by way of treatment for itching, lice, and pain[163]. So, every argument they cling to has fallen apart.

As for their saying that things are upon permissibility based on His saying, “And He has already explained to you in detail what He has made ḥarām for you except what you are compelled to [consume].” [Anʿām: 119]

And His saying, “He is the One who created for you all that is on the earth.” [al-Baqarah: 29]

Then that is correct and there is naṣṣ on the prohibition of all urine and all feces in general.

Ibn ʿAbbās narrated, “The Messenger of Allah ﷺ heard the sound of two people being punished in their graves. He ﷺ said: ‘They are being punished, but they are not being punished for something that was considered major yet indeed, it is a major matter! One of them

[162] Ṣaḥīḥ al-Bukhārī 5832: Ṣaḥīḥ

[163] Ṣaḥīḥ al-Bukhārī 2920: Ṣaḥīḥ

used not to guard himself from urine, and the other used to walk about spreading namīmah (tale-carrying).'"[164]

Every major sin (kabīr) is minor in comparison to what is greater than it, from shirk or murder.

And Abū Hurayrah, from the Prophet ﷺ, who said, "Most of the punishment of the grave is because of urine."[165]

And also in the language urine and feces are khabīth.

And Allah the Exalted said, "And He makes permissible for them the good things and forbids them from the khabāʿith." [al-Aʿrāf: 157]

So, it is established that every akbath and khabīth is ḥarām.

If it is said: "He ﷺ only addressed the people, meaning their urine and defecation specifically."

We say: Yes, he ﷺ did address the people, but he came with a more general word which encompasses the genus of urine and defecation under it.

There is no difference between one who says: "He ﷺ only intended the urine and defecation of people," and one who says: "He ﷺ only intended the urine of a specific person, not others," or "only the defecation of one, not the rest." So it is established that what is obligatory is to understand this based on the general word that encompasses the entire genus.

If it is said: "This narration about punishment due to urine is only narrated from al-Aʿmash, from Mujāhid and that has been spoken about. And sometimes it is narrated from Mujāhid from Ibn ʿAbbās[166], and at other times from Mujāhid from Ṭāwūs from Ibn ʿAbbās. And also Ibn Rāhūyah, and Muḥammad ibn al-ʿAlāʾ, Yaḥyā, and Abū Saʿīd al-Ashajj narrated it from Wakīʿ from al-Aʿmash and said: 'He used not to guard himself from his own urine.'[167] And likewise, it was

[164] Ṣaḥīḥ al-Bukhārī 216, 218, 6055: Ṣaḥīḥ

[165] Sunan ibn Mājah 348: Ṣaḥīḥ

[166] Ṣaḥīḥ al-Bukhārī 216: Ṣaḥīḥ

[167] Ṣaḥīḥ Muslim 292, 111

narrated by ʿUthmān ibn Abī Shaybah, from Jarīr, from Manṣūr, from Mujāhid."[168]

All of this is nothing. As for the narration of al-Aʿmash from Mujāhid, then the two Imāms Shuʿbah and Wakīʿ mentioned in this ḥadīth that al-Aʿmash heard it from Mujāhid, so the objection is nullified.

And also, we have already narrated it earlier through a ṭarīq other than al-Aʿmash, through Manṣūr —» Mujāhid —» Ibn ʿAbbās so the taʿallul is invalidated.

As for the riwāyah of this narration occurring once as "from Mujāhid —» Ibn ʿAbbās" and once as "from Mujāhid —» Ṭāwūs —» Ibn ʿAbbās," this only strengthens the ḥadīth.

No one makes taʿallul with this except the ignorant person, stubbornly opposing the realities since both are Imāms, and both accompanied Ibn ʿAbbās for a long time, so Mujāhid heard it from Ibn ʿAbbās directly, and he also heard it from Ṭāwūs from Ibn ʿAbbās, so he narrated it accordingly. There is nothing in this that invalidates the narration.

We would love for someone to clarify that to us, but there is no way to that except by means of false claims clung to by a group the people of ḥadīth and they are wrong in that, and those who make taqlīd of them are in a worse state than them.

As for the riwāyah of those who narrated "from his urine (min bawlihi)," they are contradicted by those above them in authority, as Hannād ibn al-Sarī, Zuhayr ibn Ḥarb, Muḥammad ibn al-Muthannā, and Muḥammad ibn Bashshār all narrated from Wakīʿ and said: "from urine (min al-bawl)."[169]

Likewise, Ibn ʿAwn and Ibn Jarīr narrated from their father, from Manṣūr, from Mujāhid and said: "from the urine."

Shuʿbah and ʿUbaydah ibn Ḥumayd also both narrated from Manṣūr from Mujāhid and said: "from urine."

---

[168] Sunan Abī Dāwud 21

[169] Sunan Abī Dāwud 20

Shuʿbah, Abū Muʿāwiyah al-Ḍarīr, and ʿAbd al-Wāḥid ibn Ziyād all narrated from al-Aʿmash and said: "from urine."[170]

So, both riwāyahs are valid, but the narration of this group adds clarity to the others, and ziyādat ul-ʿadl must be accepted.

So all that they make taʿallul of collapses, and the obligation to avoid all urine and feces is established.

As for the narration of al-Barāʾ ibn ʿĀzib that the Messenger of Allah ﷺ said, "Whatever (animal) whose meat is eaten, then there is no harm in its urine."[171]

This narration is bāṭil and fabricated because Sawwār ibn Muṣʿab is matrūk by all of ahl al-naql, it is agreed upon that narration from him must be abandoned, and he narrates fabricated narrations.

Issue: Wool, Fur, Horn, and Tooth Taken from a Living Animal

Wool, fur, horn, and tooth that are taken from a living animal are ṭāhir and it is ḥarām to eat them. The decisive evidence for this is that the living animal is ṭāhir, and a part of what is ṭāhir is also ṭāhir. And it is not allowed to eat the living animal and a part of what is not ḥalāl to eat is also not ḥalāl to eat. It is only ḥarām if those things are used after the animal became maitah and the skin was not tanned.

Issue: Parts of Whose Meat is Prohibited

The saliva of anything whose meat is not permissible to eat whether bird or others such as swine, dogs, cats, predatory animals, or mice.

[170] Musnad al-Ṭayālisī 2768

[171] Sunan al-Dāraquṭnī 460, 1/231 | 461, 1/232: Ḍaʿīf as clarified

The sweat and tears of all that we have mentioned are prohibited and must be avoided. Except the hyena only.

As for everything which eating is prohibited, then it is ḥarām by texts, and the ḥarām must be avoided. And some of that which is obligatory to avoid is obligatory to avoid.

As for the exception of the hyena it is because ibn ʿAbbās narrated, "The Messenger of Allah ﷺ prohibited all predatory beasts with fangs and all birds with talons."[172]

And Jābir ibn ʿAbd Allāh narrated, "I asked the Messenger of Allah ﷺ about the hyena. He said: 'It is game, and if a muḥrim hunts it, then a ram must be offered as compensation.'"

So it is a game (ṣayd) and ṣayd is nothing other than what is permissible as ṣayd does not occur in the language on the swine and prohibited animals

Issue: The Ruling on the Milk of the Jallālah

The milk of the jallālah is ḥarām. The jallālah is the camel that feeds on al-jullah which is excrement, and also cows and sheep that consume it. If they are prevented from eating it until the name jallālah no longer applies to them, then their milk becomes ḥalāl and ṭāhirah.

Ibn ʿAbbās narrated, "The Messenger of Allah ﷺ prohibited the milk of the jallālah."[173]

Issue: Wuḍūʾ with Used Water

Performing wuḍūʾ with used water is permissible, and likewise, performing ghusl with it for janābah is also permissible, whether one finds other water besides it or not. And this is the water that has been

[172] Sunan Abī Dāwud 3803: Ṣaḥīḥ
[173] Sunan Abī Dāwud 3786: Ṣaḥīḥ

used for wuḍūʾ itself, whether for an obligatory or supererogatory act, or for ghusl from janābah or others, and whether the one performing wuḍūʾ is a man or a woman.

The decisive evidence for this is the saying of Allah , “And if you are ill, or on a journey, or one of you comes from the place of relieving himself, or you have touched women, and you do not find water then perform tayammum.” [al-Nisāʾ: 43]

So, Allah made general mention of any water and did not specify it. So it is not permissible for anyone to abandon the use of any water in obligatory wuḍūʾ or ghusl while he is able to find it, except if a text or a prohibits a specific one.

And the Messenger of Allah ﷺ said, “The entire earth has been made for us a masjid, and its soil has been made a purification for us when we do not find water.”[174]

He ﷺ made this statement in a general manner and did not specify it. So it is not permissible to specify some water as being prohibited except by another text.

As for decisive ijmāʾ about the Prophet ﷺ: Not two among the Muslims differ that every person making wuḍūʾ uses water to wash his arms from the fingertips to the elbows and likewise for each limb in wuḍūʾ and in the ghusl for janābah and by necessity and sensory observation, every witness knows that this water has been used to wash the palm, then the beginning of the arm, then the end.

This water is then used water with certainty. Then he returns his hand to the container while it drips with the same water by which he purified the previous limb, and takes water for the next limb. So by necessity, anyone with correct perception knows that he only purified the second limb with new water that has been mixed with water previously used for purifying another limb. There is no escape from this.

[174] Ṣaḥīḥ al-Bukhārī 335, 522: Ṣaḥīḥ

Those who prohibited that used as evidence the established ḥadīth from the Messenger of Allah ﷺ, in which he prohibited the junub from washing in still water[175]

So they say, "The Messenger of Allah ﷺ only prohibited that because the water would become used."

And some of those who disagreed with them said, "No, he ﷺ only prohibited it out of fear that something might exit from his urethra, which would then make the water impure."

Both of these sayings are false, we seek refuge with Allah from saying the like of them and from attributing to the Messenger of Allah ﷺ that which he did not say, or informing about him something he never informed about himself nor did himself. That is lying upon the Messenger of Allah ﷺ and it is among the gravest of major sins for one who claims it with certainty. And if he does not say it with certainty, then it is mere conjecture. And Allah, Mighty and Majestic, said, "Indeed, conjecture avails nothing against the truth." [Yūnus: 36]

And the Messenger of Allah ﷺ said, "Beware of conjecture, for indeed conjecture is the most false of speech."

There is no other way for whoever says one of these two taʿwīls that he must fall into one of these two positions so them clinging unto this narration is invalidated.

Some of them, the Ḥanafīs argued, saying, "No one ever told the one performing wuḍūʾ or ghusl to reuse that same water upon his limbs. Instead, they obliged him to take new water and this is what is narrated in the actions of the Prophet ﷺ in wuḍūʾ and ghusl so it must not be valid."

This is false because he ﷺ ever prohibit it at all.

And it is said to the Ḥanafīs: You have allowed performing wuḍūʾ in reverse order, while there is no narration at all that the Prophet ﷺ ever reversed the order of his wuḍūʾ, So that he ﷺ would take fresh water for each limb is merely an action from him ﷺ and his actions ﷺ

[175] Ṣaḥīḥ al-Bukhārī 239: Ṣaḥīḥ

are not obliging. And it is authentically narrated from him that he wiped his blessed head with leftover used water.

If it is said: "It has been narrated that fresh water is taken specifically for the head."[176]

We say: This was only narrated by Dahtham ibn Qirān and he is weak and not relied upon from Nimrān ibn Jāriyah, who is also unknown, and Asad ibn ʿAmr who is Abū al-Mundhir al-Bajalī is weak, then how when the Prophet ﷺ allowed performing ghusl from janābah without new water? And how when it is only narrated that this was his ﷺ action[177], not his order?

Umm Salamah narrated, "The Messenger of Allah ﷺ said to me regarding ghusl from janābah: 'It is sufficient for you to scoop three handfuls of water over your head, then pour water over yourself, and you will be purified.'"[178]

Jābir narrates, "Your cousin asked me: 'How is ghusl from janābah performed?' So I said: 'The Messenger of Allah ﷺ would take three handfuls and pour them over his head, then pour over the rest of his body.'"[179]

And in this is the use of using used water.

If what the companions of Abū Ḥanīfah stated would be correct, that used water becomes impure then no purification (ṭuhr), nor wuḍūʾ, nor ṣalāh would ever be valid for anyone at all. This is because the water which the person performing ghusl pours over his body purifies his shoulders and chest, then it flows down to his back and abdomen. So everyone would end up making ghusl with impure water and we seek refuge with Allah from such a view! And the same applies to when someone washes his forearm, face, and feet in wuḍūʾ, he only washes his forearm with the water that he used to wash his

[176] Musnad al-Bazzār 3793, 9/252: Ḍaʿīf

[177] Ṣaḥīḥ Muslim 236

[178] Ṣaḥīḥ Muslim 330: Ṣaḥīḥ

[179] Ṣaḥīḥ al-Bukhārī 256: Ṣaḥīḥ

hand, and he only washes the lower part of his face with the water that has already washed the upper part. The same applies to his foot.

Some of them said, "Used water must inevitably be mixed with sweat from the body during ghusl and wuḍūʾ, so it becomes 'added' water."

This is extremely weak. And even if it would be as they claimed, so what? When was it ever prohibited to perform wuḍūʾ or ghusl with water that contains something pure in it as long as it does not leave any visible trace in the water? And also, they themselves allow performing wuḍūʾ with water that has cooled down from heat, which is more likely to contain sweat than used water.

Some of them said, "There is a narration that sins exit the body with the washing of the limbs in wuḍūʾ."[180]

We say: Yes and to Allah belongs all praise, so what? That narration only encourages reusing the water, if possible, because of its merit. It is not known of sins having any physical bodies that dissolve into the water.

Some of them said, "Used water is like the pebbles of jamarāt which, after being thrown, cannot be reused for another throw."

This is false. The pebbles used for throwing can be picked up again and thrown another time, there is nothing that prevents this. And also, the soil used for tayammum can also be used again, and the garment used to cover the ʿawrah in one ṣalāh can also be used to cover it in another ṣalāh.

Some of them said, "Used water is like water in which broad beans or ḥimmaṣ have been cooked."

This is nonsense and must be rejected from whoever said it. And we do not know of anything that prevents the validity of performing wuḍūʾ or ghusl with water in which beans, chickpeas, lupine, or cowpeas have been cooked as long as it still carries the name 'water' as clarified entirely before.

---

[180] Ṣaḥīḥ Muslim 244, 245: Ṣaḥīḥ

Some of them said, “Since used water is never called ‘water’ individually without following it up with another name it must not carry the ruling of any water.”

This is foolishness. It is instead called ‘water’ only. There is no difference between our saying ‘used water’ and it being described with that, and our saying ‘muṭlaq water’ as a description, or ‘salty water’, or ‘fresh water’, or ‘bitter water’, or ‘hot water’, or ‘rain water’. None of these prevent the permissibility of performing wuḍūʾ and ghusl with it.

And if the saying of Abū Ḥanīfah that the water used for wuḍūʾ or ghusl becomes impure would be valid, then most of the religion would be nullified. Because when a person finishes ghusl or wuḍūʾ and puts on his garment, he then prays in a garment that is completely impure. And he is then obligated to purify his limbs with other water.

Some of them said, “It only becomes impure once it separates from the limbs.”

This is a boldness in making false claims about the religion.

It is said to then: Has it become impure, according to you, except by using?

They have no option but to say: “Yes.” Then it is from the impossible for it not to become impure at the moment it makes impure, and then later become impure after that. There is no audacity greater than saying: “This is pure water with which the obligations of worship are fulfilled,” then once someone seeks closeness to Allah through it in the most virtuous of deeds, wuḍūʾ or ghusl, it becomes impure, or it becomes prohibited to seek closeness to Allah through it!

They also mention the narration about the Messenger of Allah ﷺ regarding his prohibition of charity for the family of Muḥammad: “It is only the washings of the people’s hands.”[181]

There is no ḥujjah in this at all. Because Ḥanash is weak, and they are implied by using this narration as evidence to not prohibit that except for the family of Muḥammad. And he ﷺ did not dislike it nor

[181] Al-Muʿjam al-Kabīr 11543, 11/217 | 677, 678, 20/287: Ḍaʿīf

prohibit it for anyone other than them. Instead, he permitted it for everyone else. And the narration is weak because of the weakness of al-Ḥusayn ibn Qays. And the authentic version of it[182] does not come with this wording. And also, the washings of people's hands is something other than the wuḍūʾ they perform seeking closeness to Allah . And is more astonishing than their permissibility of the washings of people's hands while about them what they use as argument has come. And their statement that it is ṭāhir (pure), while prohibiting the water with which someone has made wuḍūʾ as an act of coming closer to Allah while there is no prohibition in either of these two narrations. And we seek refuge in Allah from misguidance and from distorting the words from their proper places.

Al-Shāfiʿī said, "Wuḍūʾ and ghusl are not valid with water that someone has already performed ghusl with or performed wuḍūʾ with, even though all of it is ṭāhir."[183]

And the companions Al-Shāfiʿī unanimously agreed that if a person puts his hand into the vessel intending to perform wuḍūʾ, then takes the water, rinses his mouth, inhales water into his nose, and washes his face, then after that puts his hand back into the vessel, it becomes prohibited to perform wuḍūʾ with that water, because it has become used water. And that it is obligatory to pour the water onto his hand first, and after washing it, only then he can insert it into the vessel[184].

These are all corrupt sayings as clarified before entirely. And also it has been authentically established that he ﷺ performed wuḍūʾ and poured his wuḍūʾ water over Jābir ibn ʿAbdillāh[185].

And that he ﷺ used to perform wuḍūʾ and the people would wipe themselves with his wuḍūʾ water[186].

---

[182] Ṣaḥīḥ Muslim 1072: Ṣaḥīḥ

[183] Maʿrifah al-Sunana wal-Āthār 1685, 2/46

[184] Nihāyah al-Maṭlab 1/234

[185] Ṣaḥīḥ al-Bukhārī 194: Ṣaḥīḥ

[186] Ṣaḥīḥ al-Bukhārī 6352: Ṣaḥīḥ

Then they said with their cursed raʿī, "If a pure, clean Muslim performs wuḍūʾ with pure water, and then pours that water into a well, it is as if a dead or impure rat had been cast into it." And we ask Allah for well-being and protection from this saying.

Issue: Ruling on Vomit from Every Muslim or Kāfir

Vomit from every Muslim or Kāfir is ḥarām and must be avoided. This is because of the statement of the Messenger of Allah ﷺ, "The one who takes back his gift is like the one who returns to his vomit."[187] He ﷺ only said that prohibiting returning a gift after giving it.

Issue: The Impurity of Khamr, Gambling, Stone Altars, and Divining Arrows

Khamr, gambling, stone altars, divining arrows are rijs and are ḥarām, and it is obligatory to avoid them. Whoever prays while carrying any of these, his prayer is invalid.

Allah said, "Verily, wine, gambling, stone altars, and divining arrows are filth from the work of Shayṭān, so avoid it." [al-Māʾidah: 90]

So whoever does not avoid that in his prayer has not prayed as he was ordered, and whoever does not pray as he is ordered not prayed.

If it is said, "They are pure, only khamr is impure by ijmāʾ."

As for mere ijmāʾ claim, no one is unable to claim it as they want, the clarification of real ijmāʾ is only when it is with certainty the acknowledgment of the Prophet ﷺ, everything else is a mere false claim as clarified entirely in another place. Allāh ordered us to avoid

[187] Ṣaḥīḥ al-Bukhārī 2621, 2589: Ṣaḥīḥ

what is mentioned in the verse, whether it is pure or not. So the greatest wonder is them permitting a prayer while carrying any of that.

Issue: Nabīdh Made from Mixing busr, tamr, zahw, ruṭab, and raisins

Nabīdh made from mixing any one of the following with another from this group: busr, tamr, zahw, ruṭab, and raisins is ḥarām and must be avoided.

Abū Qatādah narrated, "The Messenger of Allah ﷺ prohibited the mixture of raisins and tamr, the mixture of busr and tamr, and the mixture of zahw and ruṭab, and he said: 'Make nabīdh of each separately.'"[188]

As for mixtures made from things other than these five, they are ṭāhir and ḥalāl as long as they do not intoxicate because he ﷺ did not prohibit except what we have mentioned.

If it is said, "But the Prophet ﷺ in the first sentence only prohibited three mixtures, where do you then prohibit mixing any of the five with each other from?"

We say: Do you not see that the Prophet ﷺ ordered, "Make nabīdh of each separately."

Issue: Facing the Qiblah

It is not permissible to face or turn one's back to the Qiblah when relieving oneself, whether defecating or urinating, not in a building and also in the open desert. And it is also not permissible to face the Qiblah during the act of istinjāʾ.

[188] Ṣaḥīḥ Muslim 1989, 26 | 1988, 25: Ṣaḥīḥ

Abū Ayyūb narrated, “The Messenger of Allah ﷺ said: ‘When you go to relieve yourselves, do not face the Qiblah nor turn your backs to it, neither with urine nor with excrement but face east or west.’”[189]

And we have previously mentioned the ḥadīth of Salmān from the Prophet ﷺ, “None of you must perform istinjāʾ facing the Qiblah.”[190]

We do not apply this to Bayt al-Maqdis, because the prohibition about that has not been authentically established.

As for those who completely permitted it, they have mentioned as evidence the ḥadīth that we narrated from Ibn ʿUmar, in some versions of which he said, “I once climbed the house of my sister Ḥafṣah and saw the Messenger of Allah ﷺ sitting for his need facing the Qiblah.”[191]

In another version, “I saw the Messenger of Allah ﷺ urinating facing the Qiblah.”[192]

And in another version, “One day, I looked and saw the Messenger of Allah ﷺ on the roof of a house relieving himself, surrounded by bricks, and I saw him facing the Qiblah.”[193]

And by a ḥadīth from the ṭarīq of Jābir, “The Messenger of Allah ﷺ prohibited us from facing the qiblah while urinating. Then I saw him, a year before he passed away, facing it.”[194]

And by a ḥadīth from the route of ʿĀʾishah, “It was mentioned to the Messenger of Allah ﷺ that some people disliked facing the qiblah with their private parts, so the Messenger of Allah ﷺ said: ‘They have done that, turn my seat (in the toilet) to face the Qiblah.’”[195]

---

[189] Ṣaḥīḥ Muslim 264: Ṣaḥīḥ

[190] Ṣaḥīḥ Muslim 262: Ṣaḥīḥ

[191] Ṣaḥīḥ al-Bukhārī 145, 148: Ṣaḥīḥ

[192] Al-ʿIlal al-Dāraquṭnī 12/360

[193] Sharḥ Maʿānī al-Āthār 6594, 4/234

[194] Sunan ibn Mājah 325 Ḍaʿīf

[195] Sunan ibn Mājah 324: Ḍaʿīf

There is no ḥujjah for them other than what we have mentioned, and they have no ḥujjah in any of it. As for the Ḥadīth of ʿĀʾishah it is weak because of the weakness of Muḥammad ibn Isḥāq.

As for the ḥadīth of Ibn ʿUmar, there is not in anything of it that it took place after the prohibition. And when as that is not present in it, then we are certain that what is found in the ḥadīth of Ibn ʿUmar goes in accordance with what the people were upon before the Prophet ﷺ prohibited that. This is without doubt. So as there is no doubt in that, then the ruling of the ḥadīth of Ibn ʿUmar is decisively abrogated by the prohibition of the Prophet ﷺ from that. This is known with certainty. And it is from falsehood and the prohibited to abandon certainty for conjectures, and to take what is known to be abrogated and abandon what is known to be the abrogating text.

We have clarified elsewhere that everything authentically established to be abrogating (nāsikh) for an abrogated (mansūkh) ruling, it is impossible and invalid to claim that Allah would reverse the abrogating (nāsikh) text back to being abrogated (mansūkh) and the abrogated (mansūkh) to being the abrogator (nāsikh), without making that clarification in a way that leaves no ambiguity. Because if that would be the case, then the religion would be unclear, incomplete and deficient, and this is false.

Allah the Exalted said, “This day I have perfected for you your religion” [al-Māʾidah: 3].

And He the Exalted said, “So that you may clarify to the people what has been revealed to them” [al-Naḥl: 44].

Also, there is only in the ḥadīth of Ibn ʿUmar a mention of facing the qiblah. So even if it would be valid as an abrogating narration, it would not include abrogation of the prohibition of turning one’s back to it. And whoever inserts in that the permissibility of turning one’s back to the qiblah is a liar, nullifying an established sharīʿah and this is ḥarām. So them clinging unto the ḥadīth of Ibn ʿUmar is invalid.

As for the ḥadīth of ʿĀʾishah, it is invalid because it is this narration only has come from Khālid al-Ḥadhdhāʾ who is a thiqah, from Khālid ibn Abī al-Ṣalt majhūl.

And ʿAbd al-Razzāq was wrong when he narrated it from Khālid al-Ḥadhdhāʾ from Kathīr ibn al-Ṣalt instead of Khālid ibn Abī al-Ṣalt, and this is even more false because Khālid al-Ḥadhdhāʾ did not meet Kathīr ibn al-Ṣalt.

And then, even if it would be authentic, it would not be a ḥujjah for them, because its wording clarifies that it occurred before the prohibition.

Because it is false and impossible that the Messenger of Allah ﷺ would prohibit them from facing the qiblah while urinating or defecating and then reproach them for obeying him in that. This is not what a Muslim or anyone with ʿaql thinks.

And in this narration is reproach of them, so even if it would be authentic, it would be abrogated. And even if it would be valid, there would not be in it facing the qiblah, not turning one's back to it at all. So them clinging unto the ḥadīth of ʿĀʾishah from the Prophet ﷺ is entirely invalidated.

As for the ḥadīth of Jābir from the Prophet ﷺ there is no indication in it that his ﷺ facing the qiblah was after his prohibition of it. And if that would be the case, Jābir would have said that.

If it would be valid, it would only imply abrogation of the prohibition of facing the qiblah, as turning one's back to it, then no. It is not permissible to insert into narrations what is not in them. Whoever does that is a liar.

And two things are prohibited that does not mean that abrogation of one of them implies the abrogation of the other. So all they clung unto and confused falls apart.

As for those who differentiate between the desert and structures in this matter, their claim has no evidence at all. There is nothing in any of these narrations making a difference between open desert and

buildings. So that saying is conjecture and conjecture is the most false of speech and it does not avail against the truth anything.

There is no difference between one who claims the prohibition applies only in the desert and not in structures, and another who claims the prohibition is specific to Madīnah or Makkah, and another who claims it applies only during the days of Ḥajj. All of these are false claims.

Issue: The Permissibility of Performing Wuḍūʾ and Ghusl for Janābah with Water Mixed with something Ṭāhir

Every water that has been mixed with something ṭāhir and permissible, such that its color, smell, and taste became apparent in it, as long as it is still called 'water', then it is permissible to perform wuḍūʾ with it, and permissible to perform ghusl for janābah with it.

The decisive evidence for that is the statement of Allah , "Then you do not find water." [al-Nisāʾ: 43]

And this is water, whether something like musk, honey, saffron, or other similar things has fallen into it or not. And this is clarified entirely before.

And it is not known that they argue with anything more than saying: "It is not māʾ muṭlaq (mere water)."

This is false. Instead, it is māʾ muṭlaq even if there is something else in it. There is no difference between this and a stone being in the water. And they themselves allow wuḍūʾ with water that has changed because of soil in its place and this is contradiction.

And from the astonishing is that they did not apply the ruling of pure water to water that has been mixed with something ṭāhir which did not remove it from the name 'water' but did apply the ruling of pure silver to silver mixed with copper in a way that alters it. And also gold mixed as pure gold in matters of zakāh and ṣarf.

And this is false and reversal of realities because they oblige zakāh on brass mixed with silver, and this is invalid, and they permitted exchanging silver mixed with brass by weight-equivalent of pure silver and this is pure ribā.

As for wuḍūʾ with water mixed with something pure, then he is only performing wuḍūʾ and ghusl with water, and it does not harm him that something pure passes over his limbs along with the water.

Some of them said, "But that is like rosewater."

This is false, because rosewater is not water at all while this is water with something else merely with it.

Issue: The Ruling on Wuḍūʾ and Ghusl When the Condition of Validity is Missing Which is When the Name 'Water' No Longer Applies To It

If the name 'water' completely ceases to apply to it as in the case of nabīdh and others then it is not valid to perform wuḍūʾ or ghusl with it. The ruling then is tayammum. Whether another source of water is found or not both in this issue and the one before it.

The decisive evidence for this is the saying of Allah , "Then if you do not find water, perform tayammum with clean earth" [al-Nisāʾ: 43]

And also the saying of the Messenger of Allah ﷺ, "And its soil has been made a purifier for us when we do not find water," as mentioned before.

And as the word 'water' does not apply to what has overcome by something else and all the attributes by which it is defined are removed it is established that it is not water, and it is not permissible to do wuḍūʾ with anything other than water.

Some like ʿIkrimah, al-Awzāʿī said and the Ḥanafīs allowed using nabīdh in some circumstances and they used as argument what Ibn Masʿūd through several ṭuruq narrated, "The Messenger of Allah

ﷺ one night said to him (Ibn Masʿūd): ‘Do you have water?’ He replied: ‘I have no water, but I have a water-skin containing nabīdh.’ The Prophet ﷺ said: ‘A good date and pure water,’ then he performed wuḍūʾ and prayed the morning (ṣubḥ) prayer.” And in another version: “The Messenger of Allah ﷺ performed wuḍūʾ with nabīdh and said: ‘A good date and pure water.’”[196]

And they said, “The companions did it and there is not known an opposition to them so it is an ijmāʾ.”

And they said, “Nabīdh is without doubt water mixed with something else so as that is the case it is still water and wuḍūʾ with it is permissible.”

This is all that is possible which they can use as deception and there is no ḥujjah in anything in it for them.

As for the mentioned narration it is not authentic, because in all its ṭuruq there are majāhīl like Abū Zayd and others.

And also even if it would be authentic as mutawātir, it would not be a ḥujjah because the “night of the jinn” incident occurred in Makkah before the hijrah, while the obligation of wuḍūʾ was revealed in Madīnah as in Sūrah al-Nisāʾ and in Sūrah al-Māʿidah.

There had never come anything obliging wuḍūʾ in Makkah. So as that is the case wuḍūʾ with nabīdh is like no wuḍūʾ. So them clinging unto this is invalidated entirely even if it would be authentic.

As for their claim of ijmāʾ, it is clarified in another place entirely in a manner that is not left obscure to anyone, and all praise is for Allāh.

As for their statement: “In nabīdh there is water that has been mixed with something else,” then this implies against them the same for milk that has been mixed with water, and for ink because it is water mixed tannin and vitriol, and for broths because they are water with oil and vinegar, or water with oil and fermented sauce and others. But they do not say any of this, so their contradiction becomes clear in

[196] Sunan al-Tirmidhī 88: Ḍaʿīf

everything by which they argued. And the clarification against such claims has preceded. And all praise is due to Allah.

Issue: The Prohibition of Dipping the Hands of the One Who Woke Up into Water

It is obligatory upon every person who wakes up from sleep, whether the sleep was short or long, during the day or night, sitting, lying down, or standing, whether in prayer or outside of prayer, regardless of how he slept, not to dip his hands into a vessel, no matter its state, until he washes his hands three times. As for sniffing water into the nose and then blowing it out after the sleep, this is not obligatory except in wuḍūʾ

The decisive evidence of this is what we narrated from Abū Hurayrah from the Prophet ﷺ, who said, "When any of you wakes up from sleep, he must not dip (his hand) into the vessel until he washes it three times, because he does not know where his hand spent the night."[197]

A group claimed that this washing is out of fear that some najāsah might be on the hand and this is false without doubt. Because if he ﷺ intended that, he would not have been unable to clarify it, nor would he have hidden that from his ummah.

And also if that had been because of fear of impurity, then the foot would be just like the hand in that regard and the inner thighs and the area between the buttocks would be even more deserving of that.

And from the wonders according to their uṣūl is that suspicion of najāsah on the hand obligates washing it three times, but when impurity is present with certainty, then a single washing suffices to remove it.

[197] Ṣaḥīḥ Muslim 278, 87: Ṣaḥīḥ

The only reason because of which washing the hand is obligatory is what the Prophet ﷺ mentioned, that the sleeper is unaware of where his hand spent the night only nothing more.

And Allah makes whatever He wills a reason/rationale for whatever He wills, just as He has made the wind that exits from below a reason that obliges wuḍūʾ, washing the face, wiping the head, and washing the arms and feet.

Some people claimed that this applies only to sleeping at night, because of his statement, "Where his hand spent the night (mabīt)," and they argued that mabīt cannot occur except at night.

This is false. It can be said: "The people (bāta) planning such-and-such," even if it was during the day.

The Mālikīs have obliged performing wuḍūʾ without stopping[198].

Al-Shāfiʿī obliged ṣalāh upon the Messenger of Allah ﷺ as an obligation, and that without that, the ṣalāh is not valid[199].

And Abū Ḥanīfah has obliged rinsing the mouth and sniffing water during the ghusl of janābah as an obligation, without which ghusl and ṣalāh are not valid[200].

While none of these have been ordered by Allah the Exalted or His Messenger ﷺ. This is what must be rejected, not the action of one who makes obligatory what the Messenger of Allah ﷺ explicitly ordered to do.

And he says regarding something the Prophet ﷺ ordered him to do: "I will not do it except if I want."

And the claim of ijmāʿ without yaqīn is a lie against the entire Ummah. We seek refuge with Allah from that.

And Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'When one of you wakes up from his sleep and performs wuḍūʾ, then

---

[198] Al-Mudawwanah 1/123

[199] Al-Umm 1/140, 2/275

[200] Al-Mabsūṭ 1/62

let him blow water out his nose three times, for indeed Shayṭān sleeps on his nostrils.'"[201]

This is what is authentic in this chapter, and this is only the description of wuḍūʾ, not a separate obligation outside wuḍūʾ.

As for what Abū Hurayrah narrated, "The Messenger of Allah ﷺ said, 'If one of you wakes up from his sleep, then let him perform blow three times, for indeed the Shayṭān spends the night on his nasal passage.'"[202]

This is weak because it has only come from ʿAbd al-ʿAzīz al-Darāwardī and he is weak.

And as for what Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'If one of you wakes up from his sleep and performs wuḍūʾ, then let him sniff water into his nose three times, for indeed the Shayṭān spends the night on his nasal passage."[203]

This is weak because it has not come except from Muḥammad ibn Zunbūr and he is not a thiqah.

Issue: The Prohibition of Performing Ghusl from Stagnant Water for the Junub

Ghusl from janābah is not valid in stagnant water. So, if someone performs ghusl in it, then it is as if he did not perform ghusl, and the water remains ṭāhir according to its own status. He can repeat his ghusl using it by scooping and pouring but it must not be by immersing himself in it. Likewise, the junub cannot perform ghusl for any obligatory act that is because of other than janābah in stagnant water. And if a person is not junub, then washing in stagnant water does suffice for purification. And wuḍūʾ is permissible in stagnant water.

[201] Ṣaḥīḥ al-Bukhārī 3295: Ṣaḥīḥ
[202] Ṣaḥīḥ Muslim 238: Ḍaʿīf
[203] Al-Mujtabā 90: Ḍaʿīf

So, whoever performs ghusl while being junub in a pool and it does not flow, it is not invalid for him. And as for the sea, then it always flows, constantly moving and turbulent, not stagnant, this is a matter observed by the eye. And likewise, whoever urinates in stagnant water and then that lets the water exit, then it is not allowed for him to do wuḍūʾ or ghusl from that water, because it has been prohibited by naṣṣ to perform wuḍūʾ and ghusl from the same stagnant water in which he urinated. But if he urinated in running water, and then the slopes of the water was blocked so it became stagnant, then it is allowed for him to do wuḍūʾ and ghusl from it because he did not urinate into stagnant water. Ghusl for janābah and other than it in running water is permissible, and if he urinated in it, that does not prohibit him from making wuḍūʾ or ghusl from it or in it.

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'None of you must perform ghusl in stagnant water while he is junub.'"[204]

There is no difference whether the stagnant water is a little or a lot, even if it spans dozens of kilometers, the junub person is not allowed to perform ghusl in it, because the Messenger of Allah ﷺ did not specify between types of water, and also did not prohibit wuḍūʾ or ghusl for anyone other than the junub from it. So it is permissible. And Allāh said, "And whoever transgresses the limits of Allah has certainly wronged himself." [al-Ṭalāq: 1]

And as clarified before it is allowed to pour urine in stagnant water as what is only prohibited is the act of urinating which is emptying the bladder through the urethra and also defecating.

If someone says, "So allow pouring hundreds of liters in stagnant water and allow purifying from stagnant water in a bucket in which urine is released or feces."

[204] Sunan Abī Dāwud 69: Ṣaḥīḥ

We clarified before that it is obligatory avoid najāsah so it is not allowed for anyone to make use of that and we clarified when exactly that is.

As for pouring urine or feces in the property of other Muslims, this is never allowed, the property of Muslims are for each other prohibited[205].

And if the urine or feces cause harm by difficulty for the Muslims then this is also not allowed.

Allāh said, "And those who harm believing men and believing women for other than what they have earned have certainly borne upon themselves a slander and manifest sin." [Al-Aḥzāb: 58]

Issue: The Invalidity of a Man Performing Wuḍūʾ or Ghusl with Water Left Over by a Woman

Any water from which a woman has performed wuḍūʾ or ghusl, whether she is menstruating or not and she has left some surplus of it, then it is not permissible for a man to perform wuḍūʾ or ghusl using that leftover water, whether they find other water or not. In that case, tayammum is obligatory upon them. But it is permissible for both men and women to drink it. It is also permissible for women to use it for wuḍūʾ and ghusl in any case.

And it does not become 'leftover' (faḍl) unless what remains is less than what she used. If it is equal to or more than what she used, then it is not 'leftover', and performing wuḍūʾ or ghusl with it is permissible for both men and women.

As for a man's leftover water, it is permissible for both men and women to perform wuḍūʾ or ghusl with it except if there is an authentic narration forbidding women from doing so, but there is no authentic narration.

[205] Ṣaḥīḥ al-Bukhārī 1738: Ṣaḥīḥ

If a man and a woman perform wuḍūʾ from the same vessel or perform ghusl from it together, each scooping water, then this specifically is permissible. We do not care who started first or who finished first.

Al-Ḥakam ibn ʿAmr al-Ghifārī narrated, "The Messenger of Allah ﷺ prohibited a man from performing wuḍūʾ with the water left over from a woman's purification (ṭahūr)."[206]

ʿAbdullāh ibn Sarjis narrated, "The Prophet ﷺ prohibited a man from performing ghusl with the water left over from a woman's wuḍūʾ."[207]

The Prophet ﷺ did not say that the water became impure, nor did he order anyone other than men to avoid it.

As for both using it, it has been authentically narrated from the Prophet ﷺ that he would bathe together with ʿĀʾishah from a single vessel, to the extent that he would say: "Leave some for me," and she would say to him: "Leave some for me."[208]

This is true, and none of that water is 'leftover' until it is left behind. This is the ruling of the Arabic language, without dispute.

And those who opposed this used as evidence a narration from Ibn ʿAbbās, "One of the wives of the Prophet ﷺ bathed due to janābah, then the Prophet ﷺ came and performed wuḍūʾ from her leftover water. She said to him: 'I had bathed,' so he said: 'Indeed, water is not made impure by anything.'"[209]

And with another ḥadīth we narrated through the ṭarīq of al-Ṭaḥrānī from ʿAbd al-Razzāq —» Ibn Jurayj —» ʿAmr ibn Dīnār —» Abū al-Shaʿthāʾ —» Ibn ʿAbbās, "The Messenger of Allah ﷺ used to bathe with the leftover water of Maymūnah."

These two ḥadīths are weak. As for the first ḥadīth, it is from the narration of Simāk ibn Ḥarb and his weakness is clarified before.

---

[206] Sunan Abī Dāwud 82: Ṣaḥīḥ

[207] Al-Muʿjam al-Awsaṭ 3741, 4/111: Ṣaḥīḥ

[208] Ṣaḥīḥ Muslim 321, 46: Ṣaḥīḥ

[209] Al-Mujtabā 325: Ḍaʿīf

And as for the second, al-Ṭaḥrānī made a mistake in it; because this is narrated by Muslim ibn al-Ḥajjāj —» Isḥāq ibn Ibrāhīm (who is Ibn Rāhūyah and Muḥammad ibn Ḥātim —» Muḥammad ibn Bakr al-Bursānī —» Ibn Jurayj —» ʿAmr ibn Dīnār, who said: "To the best of my knowledge, and what comes to mind, is that Abū al-Shaʿthāʾ informed me from Ibn ʿAbbās, that he told him, 'The Messenger of Allah ﷺ used to bathe with the leftover water of Maymūnah.'"[210]

So it is established that ʿAmr ibn Dīnār had doubt in it and did not affirm its isnād with certainty. And these are more reliable than al-Ṭaḥrānī and have better memory, without doubt. Or Ṭaḥrānī summarized it while the others clarified it and the clarifying precedes the summarized as that is what actually took place.

Then, even if these two narrations would be authentic and without flaw, they would not be a ḥujjah because their ruling was what was before the Prophet's ﷺ prohibition of a man performing wuḍūʾ or ghusl with the leftover purifying water of a woman and there is no doubt about this. So we are certain that the ruling of these two narrations are abrogated (mansūkh) when the Prophet ﷺ spoke the prohibition that opposes them. There is no dispute in this.

So as that is the case, it is not permissible to act upon an abrogated ruling and abandon the abrogating one.

And whoever claims that the abrogated ruling has returned and that the abrogating one has been invalidated, then he has invalidates the realities and made a false claim. And it is impossible and rejected that such a matter occurs and the Messenger of Allah ﷺ does not clarify it while he ﷺ is obligated to clarify.

[210] Ṣaḥīḥ Muslim 323

Issue: The Invalidity of Wuḍūʿ and Ṣalāh When Performed with Water Over Which One Has No Right

It is not permissible to perform wuḍūʿ with water that was taken without right, nor from a vessel that is stolen or taken without right. Nor is ghusl permissible with that, except for the rightful owner or someone permitted by the owner. Whoever does this, his prayer is invalid, and he must repeat his wuḍūʿ and ghusl.

Abū Bakrah narrated, "The Prophet ﷺ sat on a camel and said, 'Indeed, your blood, your property, and your honour are ḥarām amongst you, like the sanctity of this day of yours, in this month of yours, in this land of yours. So let the one present convey to the one absent, for perhaps the one informed may convey it to someone more understanding than him.'"[211]

So whoever performs wuḍūʿ with stolen water or water taken without right, or bathes with it, or does that from a vessel taken as well, then there is no difference of opinion among the Muslims that using such water and vessel for wuḍūʿ and ghusl is ḥarām.

And by necessity, every person of with correct sense knows that a ḥarām act which is prohibited is other than the obligatory act. As there is no doubt in this, then he has not performed the wuḍūʿ that Allah has ordered, and that which the ṣalāh is not valid without it.

It is instead a prohibited wuḍūʿ done in disobedience to Allah, and likewise is the ghusl. And ṣalāh without the wuḍūʿ and ghusl that Allah has ordered is invalid. This is a matter without ambiguity.

We ask those who oppose us: What is your ruling on someone who is obliged to offer expiation (kaffārah) by feeding poor people, who instead fed them with the property of other than him. Or someone who iso obliged to fast specific days, and instead fasts on the days of ʿĪd al-Fiṭr, ʿĪd al-Aḍḥā, or the days of Tashrīq? Or someone obliged to

[211] Ṣaḥīḥ al-Bukhārī 6043: Ṣaḥīḥ

free a slave, but frees the slave of someone else, not his own, does any of this suffice him regarding what Allah obliged him?

If they say: “No.”

Then it is said to them: Then why do you prohibit these, while you permit wuḍūʿ and ghusl using stolen water or stolen vessels?

And all of them are obliged a described act about his own property or body, and using the property of someone else is prohibited by your own acknowledgment in the same manner. There is no escape for then from this

And this is not qiyās, it is instead one unified ruling, under the prohibition of property, and under acting contrary to Allah’s order.

The Messenger of Allah ﷺ said, “Whoever does an action that is not upon our order it is rejected.” And all of them have done acts not ordered by Allah or His Messenger ﷺ. So their actions are rejected by the ruling of the Prophet ﷺ. And the wonder is that the Ḥanafīs invalidate the ṭahārah of someone who purifies with used water. And also the Shāfiʿīs. And the Mālikīs invalidate the ṭahārah of one who uses water into which bread was soaked without any text prohibiting any of this, they only have with them tumult, merely claiming the prohibition of these two waters**.**

Then they all permit purification with water and vessels which they themselves acknowledge that the prohibition for them are established and the prohibition of using them for wuḍūʾ and ghusl. This is astonishing, the likes of this are barely found**.** This is from that in which they oppose the text**.**

Issue: The Invalidity of Wuḍūʾ and Ghusl Using Vessels of Gold and Silver for Both Men and Women

It is not permissible to perform wuḍūʾ or ghusl using a vessel of gold or a vessel of silver, whether a man or a woman does it.

Ḥudhayfah narrated, “The Messenger of Allah ﷺ prohibited us from (using) silk, brocade, and vessels of gold and silver. And he said: ‘It is for them in this world, and for you in the Hereafter.’”[212]

If it is said: “He only prohibited eating and drinking in them.”

We say: These two narrations are a general prohibition of using them entirely. So they are an additional ruling and a sharʾ upon the narrations that merely mention the prohibition of drinking or eating and drinking only. And what adds a new ruling cannot be opposed.

If it is said: “It has been authentically narrated that gold and silk are ḥarām for the males of my Ummah but ḥalāl for its females.”[213]

Saʿīd ibn Abī Hind is a thiqah, ibn Ḥazm declared him a thiqah[214].

We say: Yes, and the ḥadīth regarding the prohibition of vessels of gold and silver is an exception to the general permissibility of gold for women, because the vessel is lesser in meaning. And it is obligatory to apply all the narrations together. And that is not possible except in this manner. And they have already done this in about drinking from a gold or silver vessel, as they prohibit women from doing that and make it an exception from the general permissibility of gold for them.

If it is said: “It is authentically reported from the Prophet ﷺ that: ‘A container does not make anything ḥalāl or ḥarām.’”[215]

We say: Yes, this is true and that is how we say it. The water in a vessel of gold or silver, drinking it is ḥalāl, and purifying oneself with it is ḥalāl. What is ḥarām is the use of the vessel. So, as there is no way out from sin when drinking from it or using it for purification which is the use of a prohibited vessel then the person doing it becomes one who drags the fire of Jahannam in his stomach, by texts. And such a person, in the state of his wuḍūʾ or ghusl, is sinning against Allah by that exact act of purification. From falsehood is that disobedience takes the place

---

[212] Ṣaḥīḥ al-Bukhārī 5632: Ṣaḥīḥ

[213] Al-Mujtaba 5265: Ṣaḥīḥ

[214] Al-Muḥalla 9/245

[215] Ṣaḥīḥ Muslim 999, 64: Ṣaḥīḥ

of obedience, and that a prohibited purification suffices for an obligatory one.

Then we say to them: It is truly from the wonder that you argue against us using this narration, while we affirm it, and you are the ones contradicting it!

Issue: The Invalidity of Wuḍūʾ and Drinking from the Water Found in the Land of Thamūd

It is not permissible to perform wuḍūʾ with the water of the wells of al-Ḥijr which is the land of Thamūd nor to drink from it, except from the well of the she-camel. Everything is permissible from that well.

Ibn ʿUmar narrated, "When the Messenger of Allah ﷺ camped at al-Ḥijr during the expedition of Tabūk, he ordered them not to drink from its well and not to draw water from it. They said: 'We have already kneaded [dough] from it and drawn water.' So the Prophet ﷺ ordered them to discard that dough and pour out that water."[216]

Ibn ʿUmar narrated, "Indeed the people camped with the Messenger of Allah ﷺ in the land of Thamūd, al-Ḥijr, and they drew water from its well and kneaded [dough with it]. So the Messenger of Allah ﷺ ordered them to pour out the water they had drawn from its wells and to feed the dough to the camels, and he ordered them to draw water from the well which the she-camel used to drink from."[217] It is known, in Tabūk.

[216] Ṣaḥīḥ al-Bukhārī 3378: Ṣaḥīḥ

[217] Ṣaḥīḥ al-Bukhārī 3379: Ṣaḥīḥ

Issue: The Invalidity of Wuḍūʾ and Ghusl with Juice Water

Every type of liquid that is extracted from trees, like rose water and other similar fluids, it is not permissible to perform wuḍūʾ with it for ṣalāh, nor ghusl with it for any of the obligatory acts, because it is not water. And purification is only valid with water or soil or ṣaʿīd when it is not found

Issue: Clarification of the Waters by Which Purification Is Permissible

Performing wuḍūʾ for ṣalāh and ghusl for obligatory acts is permissible using seawater, heated water, sun-heated water, and water that has been melted from snow, hail, or ice, or from salt whose origin was water and not a mineral.

The decisive evidence for this is that all of what we mentioned is still designated by the name water. And Allah said, "But if you do not find water, then perform tayammum with clean earth (ṣaʿīd)." [al-Nisāʾ: 43]

And salt was water, then it hardened just as snow hardens so the designation of water lifts from all of that when it changed form so wuḍūʾ and ghusl for obligatory acts is prohibited using it. But when it returns to being water, the designation of water returns to it, and the ruling of permissibility for wuḍūʾ and ghusl returns to it as before.

As for mineral salt, it is not like this, because it was never at all water, and with Allah is success.

And in some of this, there is an old disagreement, that some companions invalidated wuḍūʾ for ṣalāh and ghusl using seawater and that it is not permissible[218], and none of their sayings and actions are a

[218] Al-Muṣannaf of ibn Abī Shaybah 2/109-110, 1403-1305

ḥujjah. And indeed, it implies against those who adhere to taqlīd of the companion and claim when their desires go in accordance with the sayings of the companions, "A statement like this from them could not have been merely from their raʿī," to take their raʿī here as well. And some disliked using heated water and all of this has no meaning and there is no ḥijjah except in the Qurʾān or Sunnah. And with Allah is success.

The Matters that Invalidate Wuḍūʾ

Issue: Losing the ʿAql

The things that nullify wuḍūʾ are specific, and wuḍūʾ is not made obligatory by anything else other than them.

Many people claim falsely, "The loss of ʿaql, no matter how it occurs, whether due to insanity (junūn), fainting (ighmāʾ), or intoxication (sukr) from any source, invalidates wuḍūʾ."

And they claim that there is a decisive ijmāʿ on this.

They say, "When a person loses their ʿaql, they are no longer accountable/addressed. And as that is the case, then the state of ṭahārah in which they were has become invalid. And if it were not for the certainty of ijmāʿ that the ruling of janābah does not return to them (one in janābah does not need to renew ghusl because of loss of ʿaql), then it would have been necessary for it to return."

All of this is false. As for the claim of ijmāʾ , it is false. There is not a single dalīl from texts for that, nor is there any necessity that implies the Prophet ﷺ applied this ruling, and anything that is of such a description is not an ijmāʾ as clarified in great detail in another place. Then how then is also not a single word from any of the Companions. So, where is this ijmāʿ? No one is unable to make mere claims, how

many times have they recklessly claimed ijmāʿ for situations of such a description?

And if they say, "We draw qiyās of it to the ruling of sleeping."

We say: All qiyās is false. And also you acknowledge with us that it does not oblige one of the two types of ṭahārah, which is ghusl, so make qiyās of the fall of the other upon that which is wuḍūʾ. So this is an opposing qiyās to your qiyās. And also, sleep does not resemble fainting (ighmāʾ), madness (junūn), or intoxication (sukr) in a way that makes qiyās on it possible. They acknowledge that these do not invalidate iḥrām, nor the fast (ṣawm), and also not any contract (ʿuqūd). So from where do they invalidate wuḍūʾ without a naṣṣ or any dalīl.

And, it is authentically narrated from the Messenger of Allah ﷺ in the well-known, established narration from ʿĀʾishah, the Mother of the Believers that he ﷺ, during the illness from which he died, wanted to go out for ṣalāh, but he fell unconscious. When he regained consciousness, he ﷺ performed ghusl[219]. But she did not mention wuḍūʾ, and his ghusl was only to strengthen himself for going out, he ﷺ never obliged it.

Issue: Sleep Does Not Invalidate Wuḍūʾ

And sleep, in and of itself, does not invalidate wuḍūʾ whether it is little or much; whether one is sitting or standing; whether in ṣalāh or outside of it, or whether one is bowing or prostrating, reclining or lying down. Except if those around him are certain that he fell urinated or passed wind.

As for the Ḥadīth of Ṣafwān ibn ʿAssāl narrated, "The Messenger of Allah ﷺ used to order us, when we were on a travel, to wipe over our socks and not remove them for three days and nights, from defecation, urination, or sleep, except in the case of janābah."[220]

---

[219] Ṣaḥīḥ al-Bukhārī 687: Ṣaḥīḥ

[220] Sunan ibn Mājah 226: Ḍaʿīf

This narration in all of its ṭuruq is not free from ʿĀṣim ibn Abī al-Najūd and he is weak in Ḥadīth.

As for the narration through the ṭarīq of Muʿāwiyah from the Prophet ﷺ, "The eyes are the string-tie (seal) of the anus, so when the eyes sleep, the seal is untied."[221]

And the narration through the ṭarīq of ʿAlī from the Prophet ﷺ, "The eyes are the seal of the anus, so whoever sleeps must perform wuḍūʾ."[222]

These two are weak, the first ḥadīth that comes from Muʿāwiyah: it comes through the ṭarīq of Baqiyyah ibn al-Walīd, who is weak no one whose saying matters has ever made Baqiyyah an independent ḥujjah and besides his tadlīs which does not harm him he has a lot of awhām[223] and a lot of manākīr[224].

And he narrates it comes from Abū Bakr ibn Abī Maryam and he is ʿAbdullah ibn Abī Maryam al-Ghassānī al-Shāmī, he is matrūk and he narrates it from ʿAṭiyyah ibn Qays, who is unknown, majhūl, there is no real tawthīq of him at all.

And as for the ḥadīth of ʿAlī: its narrator is also Baqiyyah who is weak as mentioned before, from al-Waḍīn ibn ʿAṭāʾ al-Khuzāʾī who is weak and is described with bad memory. And with Allah the Most High lies success.

As for the Ḥadīth established from the Messenger of Allah ﷺ that he used to sleep and not redo his wuḍūʾ and then he would pray[225].

This is alone is not a ḥujjah that sleep does not invalidate wuḍūʾ because ʿĀ'ishah, may Allah be pleased with her said that she asked the Messenger of Allah ﷺ, "Do you sleep before performing witr?" He ﷺ said: "Indeed, my eyes sleep but my heart does not sleep."[226]

---

[221] Musnad Aḥmad 16879, 28/92-93: Ḍaʿīf

[222] Sunan Abī Dāwud 203: Ḍaʿīf

[223] Al-Abāṭīl 1/530

[224] Suʿālāt Abī Dāwūd 303

[225] Sunan ibn Mājah 474, 475: Ṣaḥīḥ

[226] Ṣaḥīḥ al-Bukhārī 1147, 2013: Ṣaḥīḥ

So, it is established that the Prophet ﷺ is not like other people in that. But there is not a single authentic naṣṣ obliging wuḍūʾ from sleeping.

Some said, "Wuḍūʾ is obligatory only from a sleep when lying down."

They mention the ḥadīth in which it is said, "Wuḍūʾ is only obligatory upon the one who sleeps while lying down, for indeed, when he lies down, his joints relax."[227]

This is weak as Yazīd Abū Khālid al-Dālānī is weak.

And there is in the isnād of this narration: Yazīd Abū Khālid al-Dālānī —» Qatādah —» Abū al-ʿĀliyah —» ibn ʿAbbās —» the Prophet ﷺ. And Shuʿbah said, "Qatādah heard only four ḥadīths from Abū al-ʿĀliyah,"[228] and this is not one of them so it falls apart completely.

And they mention the ḥadīth, "Do I need to make wuḍūʾ for this, O Messenger of Allah?" He ﷺ said: "No, unless you lie on your side."[229]

This is weak because it is only from Baḥr ibn Kunayz al-Saqqāʾ.

And another ḥadīth attributed to the Prophet ﷺ, "Whoever lies down on his side, let him make wuḍūʾ."

This narration does not exist in any of the books from the Prophet ﷺ it is only mawqūf and no mawqūf is ever a ḥujjah.

They also mentioned a ḥadīth in which it says, "When the servant sleeps in prostration, Allah boasts about him to the angels."[230]

This is not from the Prophet ﷺ, it only exists from al-Ḥasan so it is not a ḥujjah and if he attributed it to the Prophet ﷺ it would be mursal and no mursal is ever a ḥujjah. And even if it would be

---

[227] Sunan Abī Dāwud 202: Ḍaʿīf

[228] Sunan Abī Dāwud 202, 1/80: Ḍaʿīf

[229] Al-Sunan al-Kubrā of al-Bayhaqī 596, 1/94: Ḍaʿīf

[230] Al-Muṣannaf of ibn Abī Shaybah 38338, 20/77 | 36749

authentic, it would not have any evidence for invalidating the obligation of wuḍūʾ.

They also mention ṣaḥīḥ ḥadīths from the Prophet ﷺ one of then from Ibn ʿUmar, "The Prophet ﷺ delayed the prayer until the people slept, then they woke up, then slept again, then ʿUmar came and said: 'O Messenger of Allah, the prayer!' So he led them in prayer,"[231] and he did not mention that they performed wuḍūʾ.

And the second ḥadīth is from Anas, "The iqāmah was given while the Prophet ﷺ was speaking privately to a man, and he continued speaking until his companions fell asleep, then he came and led them in prayer."[232]

And another established narration from ʿĀ'ishah: She said: "The Prophet ﷺ delayed the ʿishāʾ prayer until ʿUmar called out to him: 'The women and children have fallen asleep! So he ﷺ came out.'"[233]

And these narrations are only a ḥujjah for us as anyone with eyes can see. Then how about those who try to differentiate between the states of a sleeping person or between types of sleep. When not a single one of these narrations have any mention of the actual condition of those who slept, whether they were sitting, lying down, reclining, squatting, or leaning. And how when the narration obliging wuḍūʾ from sleeping is not authentic at all as mentioned in the beginning of this section.

As for the narration of ibn ʿAbbās, "The Messenger of Allah ﷺ got up (to pray), and I stood to his left side. He took me by the hand and made me stand on his right side. Whenever I dozed off, he would tug at the lobe of my ear. He ﷺ prayed eleven rakʿahs, then he sat wrapping his legs with his garment and dozed off, to the point that I could hear his breathing while he was asleep. Then, when the dawn

[231] Ṣaḥīḥ al-Bukhārī 570, 571, 7239: Ṣaḥīḥ
[232] Ṣaḥīḥ al-Bukhārī 639, 6292: Ṣaḥīḥ
[233] Ṣaḥīḥ al-Bukhārī 642, 569: Ṣaḥīḥ

became clear to him, he prayed two light rakʿahs (of Sunnah before Fajr)."[234]

This is authentic, Muḥammad ibn Rāfiʾ is a thiqah[235]

This is the same as the ones before, a direct indication of no wuḍūʾ being obligatory after a sleep and no authentic text ever obligated it.

As for those who make a difference between types of sleep: Sleep does not cease to be from one of two possibilities for which there is no third: either sleep is itself a state of ḥadath or it is not. If it is not ḥadath, then both its minor and major forms, no matter how they occur, do not invalidate wuḍūʾ, and this contradicts their view. But if it is ḥadath, then whether it is small or deep, however it happens, it invalidates wuḍūʾ. So, it is clear that making a difference between the states of sleep is an error and a claim with no evidence.

And if someone says, "Sleep is not itself ḥadath, but it is feared that the person can pass wind during it."

We say to them: This claim is of no benefit to you whatsoever. Because the occurrence of ḥadath is possible in the smallest of sleep just as it is possible in deep sleep. It is also possible from someone sitting just as it is from one lying down. And ḥadath can even occur while awake, and ḥadath is not a long act, it happens as quickly as the blink of an eye. A person can have a deep sleep while lying down without any ḥadath occurring, while ḥadath can occur in the smallest moment of sleep from one who is sitting. So this argument brings them no benefit at all.

And also, the mere fear of ḥadath is not ḥadath in itself, and wuḍūʾ is not invalidated by fear, it is only invalidated by certainty of ḥadath. And with Allah, the Most High, lies success. As the matter is as we have mentioned, it must be one of two things: either the fear of ḥadath is a form of ḥadath, in which case both minor and major sleep invalidate wuḍūʾ, because the fear of ḥadath is present in both. Or fear

[234] Ṣaḥīḥ Muslim 763, 185: Ṣaḥīḥ

[235] Al-Mujtaba 3946

of ḥadath is not ḥadath which is our saying, in which case minor and also major sleep do not invalidate wuḍūʾ. And that is if it would depend on fear, then how when the exact act of sleeping is also not a ḥadath.

As for the ḥadīth of ʿĀʾishah, from the Messenger of Allah ﷺ, "If any of you becomes drowsy while praying, then let him sleep until the sleep goes away from him. For indeed, if one of you prays while drowsy, he might seek forgiveness but (in reality) curse himself."[236]

And in another version of the ḥadīth, "Perhaps he supplicates against himself without realizing it."[237]

There is nothing in this except that the drowsy person does not know what he is reciting or saying, and prayer in such a state is prohibited entirely. So as the drowsy person does not know what he is saying, he is without doubt in a state of loss of ʿaql.

Issue: The Ruling on Madhī, Urine, and Feces, No Matter the Place From Which They Exit: the Anus, the Urethra, or Otherwise

Wuḍūʾ is then obligatory. And as for madhī, we have already mentioned in the chapter on purifying from madhī in this book of ours, the saying of the Messenger of Allah ﷺ concerning the one who finds it, "Let him perform wuḍūʾ just as he would for prayer."[238]

As for urine and feces, it is the verse, "But if you are ill or on a journey or one of you comes or one of you comes from the ghāʾiṭ (place of defecating and urinating)." [5:6]

Ghāʾiṭ (place of defecating and urinating)[239] is a kināyah for relieving oneself by defecating and urinating.

---

[236] Ṣaḥīḥ al-Bukhārī 212: Ṣaḥīḥ

[237] Al-Mujtabā 162

[238] Al-Muwaṭṭaʾ 53, 1/40: Ṣaḥīḥ

[239] Lisān al-ʿArab 7/365

There is no disagreement among anyone in the Ummah that there is a ḥadhf (omission, ellipsis) in this verse, as if Allah, the Exalted, said: "But if you are ill or on a journey and then you relieved yourselves," because merely being ill or on a journey does not oblige wudūʾ except from ḥadath.

And as for our statement that it applies no matter from where they exit, this is because of the generality of his ﷺ order to perform wuḍūʾ after either of the two. He did not specify their exit to the two specific exiting places (the front and back private parts) from others. These two names (urine and feces) apply to them in the language with which he ﷺ addressed us, no matter where they exit from.

There is no valid argument for those who dropped the obligation of wuḍūʾ when these exit from places other than the two exiting places, not from the Qurʾān, and also not from an authentic Sunnah.

Instead the Qurʾān came with what we have said, as Allah the Exalted said, "Or one of you comes from relieving himself, or you have touched women, and you find no water." [al-Nisāʾ: 43].

And indeed, urine and feces may exit from a place other than the two exiting places. Yet Allah did not specify any specific condition over another in ordering wuḍūʾ or tayammum, nor did He specify it to the two exiting places excluding others. And with Allah is success.

Issue: The Wind (Gas) That Exits From the Anus Invalidates Wuḍūʾ

The wind that exits from the anus, specifically and not from anywhere else, no matter whether it exits with a sound or without a sound.

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'The prayer of one who is in a state of ḥadath is not accepted until he performs wuḍūʾ.' A man from Ḥaḍramawt asked Abū Hurayrah, 'What

is ḥadath, O Abū Hurayrah?' He replied: '(It is) the passing of wind.'"[240]

And Abū Hurayrah is a ḥujjah in the language

ʿAbbād ibn Tamīm narrated, "My uncle asked the Messenger of Allah ﷺ about a man who imagines that he has passed wind during the prayer. The Messenger of Allah ﷺ said: 'He must not leave (his prayer) unless he hears a sound or perceives a smell.'"[241]

There is no difference that this applies to fasw (passing gas silently) and ḍurāṭ (passing gas with sound). As the ruling is general. These two words do not apply to wind at all except when it exits from the anus. Otherwise, it is merely referred to as jushaʾ (belching) or ʿuṭās (sneezing) only And with Allah the Exalted lies success.

Issue: The One Afflicted With Chronic Incontinence Must Perform Wuḍūʾ for Each Obligatory or Voluntary Prayer

Whoever is afflicted with being overcoming with anything we previously mentioned [urine, feces, wind, madhī], must perform wuḍūʾ for every ṣalāh, whether obligatory or voluntary. Then, he is not accountable for whatever exits from him of that during the prayer, or between his wuḍūʾ and his ṣalāh. His wuḍūʾ is only valid if it is done at the nearest possible time to the prayer. The one overcome must also wash the impurity of urine, feces, or madhī from his body according to his capacity, if doing that does not bring hardship. Whatever causes hardship is lifted from him.

The decisive evidence for this is the statement of the Messenger of Allah ﷺ which we already mentioned, "When I order you with something, then do of it what you are able."

---

[240] Ṣaḥīḥ al-Bukhārī 135: Ṣaḥīḥ

[241] Ṣaḥīḥ al-Bukhārī 137: Ṣaḥīḥ

And the saying of Allah , “He has not placed upon you in the religion any hardship” [al-Ḥajj: 78]

And His saying , “Allah intends ease for you, and He does not intend hardship for you” [al-Baqarah: 185].

So it is established that he is ordered with ṣalāh and wuḍūʾ from ḥadath, and all of the matters mentioned before are ḥadath. So he must perform from that what he is able, and whatever does not bring hardship. He is capable of prayer and wuḍūʾ for it without hardship, so he must do them. But he is unable to prevent what exits from him of that during ṣalāh or between wuḍūʾ and ṣalāh so that is lifted from him. The same applies to washing what comes out of that.

Abū Ḥanīfah said, “These people must perform wuḍūʾ for each prayer time and remain on their wuḍūʾ until the next prayer time enters, then repeat wuḍūʾ.”[242]

Mālik said, “There is no wuḍūʾ obligatory from that.”[243]

Al-Shāfiʿī said, “He performs wuḍūʾ for every obligatory prayer, and may pray with that wuḍūʾ as many voluntary prayers as he wishes.”[244]

All of these sayings are only based on qiyās upon the case of the mustaḥāḍah, and all qiyās is false.

Then, even if it would be authentic, this would still be false from him, because what is firmly established about the woman with istiḥāḍah is other than what they have said. But, what we will mention, if Allah wills, in the chapter of istiḥāḍah, is that it is obligatory for her to perform ghusl for every obligatory prayer, or (one ghusl) for combining ẓuhr and ʿaṣr, and then (one ghusl) for combining maghrib and ʿishāʾ, and then (one ghusl) for ṣubḥ.

And the beginning time of a prayer is without doubt not a ḥadath without doubt and as it is not a ḥadath, then it does not invalidate a state of ṭahārah that has already been established without

---

[242] Al-Aṣl 1/335-336

[243] Al-Mudawwanah 1/119-120

[244] Al-Awsaṭ 1/271

any revealed text indicating otherwise. So Mālik's discarding the obligation of wuḍūʾ for something that Allah the Exalted has made obligatory, and His Messenger ﷺ has affirmed as obligatory through established texts, is false and impermissible.

Likewise, the saying of al-Shāfiʿī is also an obvious mistake because it is impossible that a person can be in a state of wuḍūʾ and ṭahārah for a voluntary prayer, but if he intends to perform an obligatory prayer, then he is not in a state of wuḍūʾ or ṭahārah! This is a saying for which there exists no texts from the Qur'ān, and also not the Sunnah, So the saying of Abū Ḥanīfah, Mālik, and al-Shāfiʿī is entirely absent of any evidence from the Qur'ān, and also the authentic Sunnah.

These are the matters that invalidate wuḍūʾ, whether done intentionally, forgetfully, or due to overwhelming force. And the evidences have been established for that which we have mentioned. And with Allah the Exalted is success.

Issue: A Man Touching His Own Private Parts Intentionally

A man touching his penis and anus with any part of his hand, whether with the inner side or outer side, or with his forearm obliges wuḍūʾ except if he touches it with his thigh, shin, or leg; that does not oblige wuḍūʾ. And also, if a woman touches her own private part intentionally, the same ruling applies, without difference. None of that invalidates wuḍūʾ if done forgetfully.

And if a man touches the private part of someone else, whether a child or adult, alive or dead with any limb of his body, whether they are a maḥram or not, intentionally, then it also invalidates wuḍūʾ. The same applies to a woman touching the private part of another person intentionally, without distinction. And this also applies to the anus.

There is no meaning to lust in anything from this. And if any of that touching occurred over thin or thick fabric, whether with lust or without it, whether with the hand or another part of the body, whether intentionally or unintentionally, it does not invalidate wuḍūʾ. And also if the touching occurred due to being overwhelmed or forgetfulness, it does not invalidate wuḍūʾ.

The decisive evidence for this: Busrah bint Ṣafwān narrated, "The Messenger of Allah ﷺ ordered wuḍūʾ after touching the farj.'"[245]

If it is said, "This is a narration narrated by al-Zuhrī from ʿAbd Allāh ibn Abī Bakr ibn ʿAmr ibn Ḥazm from ʿUrwah."

We say: Welcome to it! ʿAbd Allāh is a thiqah, and there is no disagreement that al-Zuhrī heard from ʿUrwah and sat with him. So, he narrated it both from ʿUrwah directly and from ʿAbd Allāh ibn Abī Bakr from ʿUrwah and this adds strength to the narration, and all praise is due to Allah, the Lord of the Worlds.

There is not known jarḥ against Marwān before his rebellion against the Amīr al-Muʾminīn ʿAbd Allāh ibn al-Zubayr may Allah be pleased with them both and ʿUrwah never met him except before that rebellion against his brother, never after and this is without any doubt.

As for Busrah, she is well known among the female companions of the Messenger of Allah ﷺ who pledged allegiance and migrated. She is Busrah bint Ṣafwān ibn Nawfal ibn Asad ibn ʿAbd al-ʿUzzā, the niece of Waraqah ibn Nawfal, and her father was the cousin of Khadījah, the Mother of the Believers.

The wording of this ḥadīth is general and applies to all that we have mentioned.

As for a man touching his private part with his leg, foot, or thigh, then there is no disagreement that a man is ordered to pray wearing a thick enough clothes and while that is the case, there is no way by necessity but that he is going to have his private part rest upon

[245] Sunan Abī Dāwud 182, 181: Ṣaḥīḥ

his leg, foot, or thigh during prayer. So this situation is excluded by ijmāʾ acknowledged by necessity from the Prophet ﷺ.

Abū Ḥanīfah said, "Touching the private part does not invalidate the wuḍūʾ no matter how it occurs."[246]

And Mālik and Al-Shāfiʾī said, "Only touching the private part with the inside of part of the hand invalidates the wuḍūʾ, not the outside part."[247]

As for the saying of al-Shāfiʿī and Mālik about specifying the inner part of the palm (bāṭin al-kaf) to invalidate wuḍūʾ and not the outer part (ẓāhir), it is a claim without any evidence, not from the Qurʾān, and also not from the Sunnah.

And some of them raised an objection by saying: "In some narrations it is mentioned: 'Whoever touches (afḍa) his private part with his hand, let him perform wuḍūʾ."[248]

This is not authentic at all as Yazīd ibn ʿAbd al-Malik al-Nawfalī is weak and Nāfiʾ ibn Abī Nuʿaym who is ibn ʿAbd al-Raḥmān ibn Abī Nuʿaym the Qāriʾ is not a thiqah in Ḥadīth specifically. And even if it would be authentic, there would be no ḥujjah in it for what they claim, because contact (ifḍāʾ) with the hand in the language can be with the back of the hand just as it can be with the palm. As ifḍāʾ is only reaching (wuṣūl)[249]. And reaching is with the back of the hand and also the palm or any other body part. And even if ifḍāʾ would be with the palm, there is not in that what negates wuḍūʾ from other than ifḍāʾ as the narration has come with a wording adding to ifḍāʾ, then how when ifḍāʾ is with the entire body.

Allah the Exalted said, "And you have drawn near to one another (afḍā baʿḍukum ilā baʿḍ)." [al-Nisāʾ: 21]

And if they say, "Mass means hand touch and lams is any touch."

---

[246] Al-Aṣl 1/46

[247] Al-Mudawwanah 1/118

[248] Musnad Aḥmad 8404, 14/130: Ḍaʿīf

[249] Tāj al-ʿArūs 39/242

This is false, as for ‘mass’ it means any touch, directly or indirectly. And lams is a touch with the body, any body part.

As for ‘mass’ Allāh said, “They were touched (مَسَّتْهُم) by adversity and hardship [al-Baqarah: 214]

And He said, “If Allah touches you with harm.” [al-Anʿām: 17]

And as for ‘lams’ it is the saying of Allāh, “And we have sought to reach the heaven.” [al-Jinn: 8]

And the saying of the poet[250] so their specification collapses.

As for touching the anus invalidating wuḍūʾ it is because the Prophet ﷺ in the Ḥadīth mentioned before invalidated wuḍūʾ for touching the farj.

If it is said, “In the language the word farj does not apply to the anus.”

We say: Allāh and his Messenger ﷺ can change words and apply for other meanings as they want and it is authentically narrated that the Prophet ﷺ said, “If any of you goes to relieve himself (for defecation or urination), then let him not face the Qiblah nor turn his back to it with his farj.”[251]

So he called the private part a farj.

As for the companions of Abū Ḥanīfah, they used as evidence the ḥadīth of Ṭalq ibn ʿAlī, in which a man asked the Messenger of Allah ﷺ about a man who touches his private part after performing wuḍūʾ. So the Messenger of Allah ﷺ said: “Is it not but a piece of your own flesh?”[252]

There is not a ḥujjah in it for them for several reasons: The first is that this narration is in accordance with what the people were upon before the order of performing wuḍūʾ from touching the private part was revealed this is without doubt. So as that is the case, its ruling is with certainty abrogated when the Messenger of Allah ﷺ ordered wuḍūʾ upon touching the private part. It is not permissible to abandon

---

[250] Al-Mufradāt of al-Rāghib pg. 747

[251] Al-Muwaṭṭaʾ of Mālik 1, 1/193: Ṣaḥīḥ

[252] Sunan Abī Dāwud 182: Ṣaḥīḥ

that which is with certainty the abrogating ruling for what is with certainty the abrogated.

The second is that his ﷺ saying, "Is it not but a piece of your own flesh?" is a clear dalīl that it was said before the order for wuḍūʾ from touching the private part because if it had been after that order, he ﷺ would not have made such a statement. Instead, he would have clarified that the earlier ruling had been abrogated. His wording indicates that there had been no previous ruling at all regarding it, and that it was like all other limbs.

Some of them claimed that wuḍūʾ in that case means washing the hand.

This is false. No one ever said that washing the hand is obligatory or recommended upon touching the private part, not those who make taʿwīl of the ḥadīth with such a false taʿwīl, and also not anyone else.

It is said to them: if it is as you claim, then you are among the first to oppose the order of the Messenger of Allah ﷺ by your taʿwīl of his order, and this is a clear act of belittlement.

And also the word wuḍūʾ in the Sharīʿah is not used except to refer to the wuḍūʾ of ṣalāh alone. And the Messenger of Allah ﷺ rejected using this word to refer to anything other than the wuḍūʾ for prayer.

Ibn ʿAbbās narrated, "We were with the Messenger of Allah ﷺ and he came back from the place of relieving himself, and food was brought to him. It was said to him: 'Will you not perform wuḍūʾ?' He ﷺ said: 'Why? Do I pray for which I would I perform wuḍūʾ'"[253]

Then how can that be, when we have also narrated through the ṭarīq of Mālik from ʿAbd Allāh ibn Abī Bakr ibn Muḥammad ibn ʿAmr ibn Ḥazm —» ʿUrwah ibn al-Zubayr —» Marwān —» Busrā bint Ṣafwān, "The Messenger of Allah ﷺ said: 'If any of you touches his private part, let him perform wuḍūʾ, the wuḍūʾ for ṣalāh.'"[254]

---

[253] Ṣaḥīḥ Muslim 374, 119: Ṣaḥīḥ

[254] Al-Muwaṭṭaʾ Riwāyah Yaḥyā 100: Ṣaḥīḥ

And this ḥadīth was also narrated by others other than Mālik.

As narrated by ʿAbd Allāh ibn Aḥmad ibn Ḥanbal —» Abū Ṣāliḥ al-Ḥakam ibn Mūsā —» Shuʿayb ibn Isḥāq —» Hishām ibn ʿUrwah —» his father —» Marwān ibn al-Ḥakam —» Busrā bint Ṣafwān, The Messenger of Allah ﷺ said: 'If any of you touches his private part, then he must not pray until he performs wuḍūʾ.'"[255]

ʿUrwah rejected this and questioned Busrā, and she confirmed what was said.

Abū Ṣāliḥ al-Ḥakam ibn Mūsa and Shuʿayb ibn Isḥāq are both thiqah and well-known, so the taʿallul based on Marwān is invalid. And it is established that Busrā was a well-known female Companion. Indeed, they are implied to reject upon themselves their own distortions of the religion and their nullification of the Sunnah based on the narrations of Abū Naṣr ibn Mālik, ʿUmayr, al-ʿĀliyah the wife of Abū Isḥāq, and a shaykh from Banī Kinānah and all of these are majhūl.

And some of them said: "This is from the matters of widespread balwā (it is a widespread matter). If it had m truly been part of the religion, ibn Masʿūd and others would not have been unaware of it."

This is foolishness, the corruptness of this method is clarified entirely in another place. Most Companions were unaware of the obligation of ghusl from penetration without ejaculation, while this high in balwā.

And Abū Ḥanīfah claimed that wuḍūʾ is obligatory from a nosebleed[256] which is also something that is high in balwā, while the majority before him did not know of that saying. And he also claimed that wuḍūʾ is obligatory from vomiting if it fills the mouth, but not if it is less than that[257], this is also something that happens often, while no one among the children of Ādam before him knew such a thing. They have many other such sayings.

---

[255] Musnad Aḥmad 27294, 45/270: Ṣaḥīḥ

[256] Al-Aṣl 1/57

[257] Al-Aṣl 1/56

Such confusion and contradiction are not used to oppose the Sunnah of the Messenger of Allah ﷺ except the misguided.

Touching through the cloth is not touching.

And there is no meaning for lust/desire because there is no text has come for it. Instead it is merely a false assumption.

As for forgetfulness in this matter, then Allah said, "And there is no blame upon you for that in which you have erred, but [only] for what your hearts intended." (al-Aḥzāb: 5)

Issue: Eating Camel Meat Nullifies Wuḍūʾ

Eating the meat of camels, whether raw, cooked, or roasted, intentionally, while knowing that it is the meat of a jamal or nāqah, invalidates wuḍūʾ. But, eating only its fat or eating parts of it other than its meat does not invalidate wuḍūʾ. But if those other parts, such as its belly, head, or legs are fall under by the Arabs as 'meat,' then eating them invalidates wuḍūʾ; otherwise, it does not. And nothing else that has been touched by fire invalidates wuḍūʾ other than this.

Muslim ibn al-Ḥajjāj narrated —» Abū Kāmil al-Fuḍayl ibn Ḥusayn al-Jahdarī and al-Qāsim ibn Zakarīyā. Al-Fuḍayl said: Abū ʿAwānah —» ʿUthmān ibn ʿAbdillāh ibn Mawhab. And al-Qāsim said: ʿUbaydullāh ibn Mūsā —» Shaybān —» ʿUthmān ibn ʿAbdillāh ibn Mawhab and Ashʿath ibn Abī al-Shaʿthāʾ, both from Jaʿfar ibn Abī Thawr —» Jābir ibn Samurah, "A man asked the Messenger of Allah ﷺ: 'Should I perform wuḍūʾ after eating the meat of sheep?' He said, 'If you wish, perform wuḍūʾ; and if you wish, do not.' The man asked: 'Should I perform wuḍūʾ after eating the meat of camels?' He ﷺ said: 'Yes, perform wuḍūʾ after eating camel meat.'"[258]

And it is narrated from the ṭarīq of al-Aʿmash —» ʿAbdullāh ibn ʿAbdillāh al-Rāzī —» ʿAbd al-Raḥmān ibn Abī Laylā —» al-Barāʾ

[258] Ṣaḥīḥ Muslim 360

ibn ʿĀzib, “The Messenger of Allah ﷺ was asked, ‘Must we perform wuḍūʾ after eating camel meat?’ He said, ‘Perform wuḍūʾ from it.’”[259]

ʿAbdullāh ibn ʿAbdillāh al-Rāzī Abū Jaʿfar, the judge of al-Rayy, is a thiqah.

The discussion has already passed in the previous chapter invalidating those who reject Sunnah narrations based on a matter being widespread (ʿumūm al-balwā), and likewise the invalidity of the argument of those who say that maybe the wuḍūʾ meant here washing the hands. So we are not in need to repeat. If the objector would be consistent, he would have also rejected the claim that laughter invalidates wuḍūʾ in ṣalāh but not outside of it, which would be more appropriate while it is false.

As for making wuḍūʾ from anything that has been touched by fire, then there are narrations narrated about obligation, narrated from the Prophet ﷺ by ʿĀʾishah[260], Umm Ḥabībah[261], Abū Ayyūb, Abū Ṭalḥah, Abū Hurayrah, Zayd ibn Thābit , Allah be pleased with them.

If it would be authentic, then if it would not be that this ruling was abrogated (mansūkh), it would have been obligatory to act upon it.

As Jābir ibn ʿAbdillāh narrated: “The last of the two rulings from the Messenger of Allah ﷺ was that he abandoned performing wuḍūʾ from what had been touched by fire.”[262]

So the abrogation of those earlier aḥādīth is established and to Allah belongs all praise.

A group has claimed that this ḥadīth is a summary of the ḥadīth that was narrated Abū Dāwūd narrated —» m Ibrāhīm ibn al-Ḥasan al-Khathʿamī —» Ḥajjāj —» Ibn Jurayj —» Muḥammad ibn al-Munkadir —» Jābir ibn ʿAbd Allāh, “Bread and meat were brought near to the Messenger of Allāh ﷺ, and he ate, then he called for wuḍūʾ and

[259] Sunan Abī Dāwud 184: Ṣaḥīḥ

[260] Ṣaḥīḥ Muslim 353

[261] Sunan Abī Dāwud 195

[262] Sunan Abī Dāwud 192: Ṣaḥīḥ

performed wuḍūʾ with it. Then he prayed ẓuhr, and afterward, he called for the leftover food and ate from it, then he stood up for prayer and did not perform wuḍūʾ."[263]

Declaring with certainty that this ḥadīth is a summary of that one is a claim based on speculation, and speculation is the most false form of speech. They are instead two different ḥadīths just as they have been narrated, about two different situations.

As for every ḥadīth used as argument by those who do not believe wuḍūʾ is obligatory after eating what has been touched by fire such as the ḥadīth, "The Messenger of Allāh ﷺ ate the shoulder of a sheep and did not perform wuḍūʾ,"[264] and others like it, then there is no ḥujjah for them in them, because the aḥādīth that obligate wuḍūʾ are those that bring an additional ruling, in opposition to these in which there is no wuḍūʾ which establishes that it was from the actions that were done before the order was revealed to make wuḍūʾ from what had been touched by fire.

And if it were not for the ḥadīth of Shuʿayb ibn Abī Ḥamzah, from Jābir ibn ʿAbdillāh which we mentioned, it would not be permissible for anyone to abandon wuḍūʾ from what had been touched by fire.

If it is said: "Why do you made camel meat specifically an exception from among all the things for which wuḍūʾ was abrogated after touching fire?"

We say: Because the order to make wuḍūʾ from camel meat is a specific ruling for it alone, whether it is touched by fire or not. Fire touching it is not the reason that makes wuḍūʾ obligatory.

Instead wuḍūʾ is obligatory from it as it is, so its ruling is outside the narrations about making wuḍūʾ from what fire has touched, and outside the abrogation of making wuḍūʾ from such things. And with Allāh Most High is success.

---

[263] Sunan Abī Dāwud 191

[264] Ṣaḥīḥ al-Bukhārī 207, 210

As for eating it out of forgetfulness, or without knowing that it is from camel meat, then we have already mentioned the saying of Allāh Most High, “There is no blame upon you for what you do by mistake” [al-Aḥzāb: 5]

So whoever does something unintentionally, it is the same as if he had abandoned it except if a specific text comes that obligates a ruling even in the case of forgetfulness. And with Allāh Most High is success.

Issue: From the Nullifiers of Wuḍūʾ is a Man Touching a Woman or a Woman Touching a Man, with Any Limb

When a man touches a woman or a woman touches a man with any part of the body, if it is done intentionally, and there is no barrier such as a garment or anything else between them, then wuḍūʾ is invalidated. This is the case whether she is his mother or daughter, or she touches her son or father, whether young or old, all are the same. The presence or absence of lust/desire has no meaning in any of this. And also, if he touches her through a garment with lust or without, then his wuḍūʾ is not invalidated.

The decisive evidence for this is the saying of Allāh, Blessed and Exalted, “Or one of you comes from relieving himself, or you touched (lāmastum) women, and you do not find water, then perform tayammum with clean soil.” [al-Nisāʾ: 43]

And mulāmasah (touching) as in the verse is an action involving two parties. And we are certain that both men and women are addressed in this verse, there is no disagreement among the Ummah on this. The beginning and end of the verse is addressed to all the believers, exactly as Allāh said. So this ruling is obligatory upon men when they touch women, and also upon women when they touch men, and women touching women.

Allāh did not make any exception for a specific woman, and also not for lust/desire, so to make such a takhṣīṣ of that is not permissible.

Some claimed that the "touching" in the verse is specifically and only intercourse.

This is a takhṣīṣ with no decisive evidence, and it is false and impossible that Allāh would intend a specific type of touching yet not clarify it. We seek refuge in Allāh from this.

Those who claim that "lamastum" (you touched) in this verse means sexual intercourse only mention the verse, "There is no blame upon you if you divorce women you have not touched." [al-Baqarah: 236]

They say, "You are then implied to say it means here any touch as well."

We say: Yes, this is how we say it and all praise is for Allāh, there is nothing that declares these words mujmal requiring a mubayyan, it is all from the apparent as it is. Whoever claims otherwise has transgressed the limits of Allāh.

And if they mention the verse, "So now, have intercourse (bāshirūhunna) with them and seek what Allah has ordained for you. And eat and drink until the white thread becomes distinct to you from the black thread of dawn. Then complete the fast until the night." [al-Baqarah: 187]

And if they say, "Here Allāh meant with a touch also intercourse, so we know that Allāh mentions a touch in this manner that it must mean intercourse."

This is a mere false assumption free from decisive evidence and we say: It has been authentically narrated from the Messenger of Allah ﷺ that mubāsharah is permitted in the state of fasting[265] and he is the one who clarifies on behalf of Allah what He intends from us. So it is established that the mubāsharah which is prohibited during fasting is

[265] Sunan Abī Dāwud 2382: Ṣaḥīḥ

only intercourse. And in this case it is decisively established. As for when there is no such indication it remains at it is just as we did with the previous verse and the ruling of this chapter, everything else is a clear transgression from the limits of Allāh.

And as for those who claim that only a touch with the hand invalidates the wuḍūʾ but not with other body parts, it is a mere claim without any decisive evidence. The clarification has preceded that lams means any body touch in general, it is not specific to the hand at all, and all praise is for Allāh.

And they mention the Ḥadīth in which the Messenger of Allāh ﷺ used to kiss and not perform wuḍūʾ[266]

This is weak because its narrator Abū Rawq who is ʿAṭiyyah ibn al-Ḥārith al-Hamdānī, he is not a thiqah, so it is not allowed to take his narrations. And also this is munqaṭiʿ as Ibrāhim al-Taymī did not see and also not hear from ʿĀʾisha and also not Ḥafṣa.

And al-Dāraquṭnī narrated this from Ibrāhim al-Taymī —» his father —» ʿĀʾisha, making the narration mawṣūl[267] but this is nothing as there is in this Ibrāhīm ibn Harāsah who is weak.

And this is also narrated through a man named ʿUrwah al-Muzanī who is majhūl.

It is narrated from al-Aʿmash, from majhūl companions of his, from ʿUrwah al-Muzanī[268] and he is majhūl. And also ibn Maghrāʾ is weak.

This Ḥadīth is narrated from another ṭarīq which is authentic by ʿĀʾishah, "The Prophet ﷺ kissed one of his wives, then went out to pray and did not perform wuḍūʾ."[269]

And this is not a ḥujjah for them because it is possible that the Prophet ﷺ performed wuḍūʾ after he left, there is not in it that she accompanied him ﷺ. And also even if none of that would be the case,

---

[266] Sunan Abī Dāwud 178; Ḍaʿīf

[267] ʿIlal al-Dāraquṭnī 3905, 15/146: Ḍaʿīf

[268] Sunan Abī Dāwud 180: Ḍaʿīf

[269] Sunan Abī Dāwud 179: Ṣaḥīḥ

the meaning is without any doubt abrogated, as it goes in accordance with the practice before the verse was revealed. And the verse brought an additional sharʿ, from which takhṣīṣ is not allowed.

They also mentioned two ṣaḥīḥ ḥadīths, one of which is from ʿĀʾishah, "I searched for the Messenger of Allāh ﷺ during the night, and I didn't find him, then my hand touched the soles of his feet while he was in prostration."[270]

This is not a ḥujjah for them, because wuḍūʾ is only obligatory on the one who initiates/intends the touching, not the one who is touched who does not intend to touch because he did not touch.

Another dalīl is that there is not in this narration that he was in prayer.

And a Muslim can perform prostration (sujūd) outside of prayer, because prostration is a good act. Even if it would be authentic for them that the Prophet ﷺ was in prayer, which is not the case, and also not narrated in an authentic manner, then there is not in the narration that his wuḍūʾ was not invalidated, and also not that he prayed another initiated prayer without renewing his wuḍūʾ. So as there is nothing of this in the narration there is nothing for them to cling unto in it.

Then even if it would be authentic that the Prophet ﷺ was in prayer, and it was authentic that he continued it or prayed another prayer without renewing wuḍūʾ, while none of that is authentic at all, this narration would then go in accordance with the state the people were in before the verse was revealed, without doubt. And that is a state that has unquestionably been abrogated, and its ruling removed by the revelation of the verse.

And from false is to act upon what is abrogated with certainty and to abandon the abrogating text.

So there is nothing they can cling unto from this narration. All praise is due to Allah, Lord of the worlds.

---

[270] Ṣaḥīḥ Muslim 486

As for the second narration, it comes through the ṭarīq of Abū Qatādah, "The Messenger of Allah ﷺ carried Umāmah bint Abī al-ʿĀṣ whose mother was Zaynab bint Rasūl Allāh ﷺ on his shoulder during the prayer. He would place her down when he prostrated, and lift her up when he stood."[271]

There is no ḥujjah for them in this narration at all, because there is no naṣṣ in it that her hands or feet touched any part of his ﷺ bare skin as she may have been wrapped in a cloak, or wearing gloves and socks, or her garment could have been long enough to cover her hands and feet. And this is what is most likely about someone like her in the presence of men.

And as what we have mentioned is not in the ḥadīth, then it is not permissible for anyone to add to it something that is not in it, as the one doing that is a liar. And was what they assume is not present in the narration while what we said is possible, and it is that for which something else is not possible, then them clinging unto this narration is invalid. It is not permissible to abandon a verse from which its ruling is established with certainty for a false assumption.

Allah the Exalted said, "Indeed, assumption avails nothing against the truth." [Yūnus: 36]

And also, this narration and also not the ones before it have any indication that any of them occurred after the verse was revealed, and the verse came later in revelation. So even if it was established that he ﷺ touched her hands or feet during the prayer, that would go in accordance to the state of the people before the verse was revealed.

And in any case, we are certain that the meaning of this narration, even if it would be as they want it to be, has been abrogated without doubt, and it is not permissible to return to what has been abrogated with certainty and abandon the abrogating text.

---

[271] Ṣaḥīḥ al-Bukhārī 516, 5996

So it is established that they are confuse by narrations which they cannot cling unto at all, and they attempt through them to abandon the certainty of the Qurʾān and the Sunnah.

As for those who make touching with desire a condition for the invalidation of wuḍūʾ, there is not for there saying anything from the Qurʿān and Sunnah, they only cling unto sayings of the companions that are not a ḥujjah in any case.

Issue: Penetration of the Private Parts Whether Ejaculation Occurs or not Obliges Wuḍūʾ

Insertion of the male private organ into the female private organ invalidates wuḍūʾ, whether there is ejaculation or not.

The decisive evidence for this is what was Ubayy ibn Kaʿb narrated, "I asked the Messenger of Allah ﷺ about a man who approaches his wife but then he had kasl (He penetrated the woman but did not ejaculate, because he was overtaken by sluggishness or fatigue after penetration but before ejaculation so he withdrew without releasing), and he ﷺ said: 'He must wash what came into contact with the woman, then perform wuḍūʾ and pray.'"[272]

So wuḍūʾ is obligatory with ghusl, as we will clarify later, if Allah wills.

Issue: Carrying the Deceased in a Bier or in Something Else

This does not invalidate wuḍūʾ.

[272] Ṣaḥīḥ Muslim 346, 84: Ṣaḥīḥ

As for the narration narrated by Abū Hurayrah, from the Prophet ﷺ, who said, "Whoever washes the deceased, he must perform ghusl; and whoever carries it, he must wuḍūʾ."[273]

This is weak as Muḥammad ibn ʿAmr is weak[274]. And as for the ṭarīq from Sufyān[275]. It is weak as it is not known whether this narration was before or after Suhayl ibn Abī Ṣāliḥ's ikhtilāṭ.

Issue: The Appearance of Istiḥāḍah Blood or Flowing Blood from the Vagina

The appearance of istiḥāḍah blood (non-menstrual bleeding) or of blood flowing from the vagina after the cessation of menstruation obligates wuḍūʾ. The woman must perform wuḍūʾ for every prayer following the appearance of this blood, whether the blood is distinguishable or not, and whether she knows her regular menstrual days or not.

ʿĀʾishah narrated, "Fāṭimah bint Abī Ḥubaysh had istiḥāḍah and asked the Prophet ﷺ: 'O Messenger of Allah, I suffer from istiḥāḍah and I do not become pure; should I abandon the prayer?' The Messenger ﷺ replied: 'That is only a vein and not menstruation. So when the menstrual period comes, refrain from prayer. When it ends, wash the blood from yourself and perform wuḍūʾ and pray. That is only a vein and not menstruation.'"[276]

The Prophet ﷺ generalized all blood that exits from the vagina after the menstrual blood and did not make exceptions. He made wuḍūʾ obligatory for it because it is from a vein.

---

[273] Musnad al-Bazzār 7993, 14/426: Ḍaʿīf

[274] Masāʾil ibn Hāniʾ 2330, 2320

[275] Sunan Abī Dāwud 3162: Ḍaʿīf

[276] Al-Mujtabā 282: Ṣaḥīḥ

There is no evidence from the Qurʿān and Sunnah for those who declare this recommended only instead of obligatory like Mālik[277] and also not for those who allow her to pray in that state voluntary prayers but no obligatory prayers like al-Shāfiʿī and Aḥmad[278]. All of these are false

Issue: Wuḍūʾ is Not Invalidated By the Following

Nothing invalidated wuḍūʾ except what we have already mentioned, and also not nosebleed or blood that flows from any part of the body, or from the throat, or from the teeth, or from the urethra, or from the anus, and also not cupping (ḥijāmah), or phlebotomy, or vomiting whether abundant or little and also not regurgitation, or pus, or fluid, or m blood seen by a pregnant woman from her private part; or harming a Muslim, or oppressing him; or touching a cross or an idol; or apostasy; or arousal whether due to desire or without it; or sins of any kind besides what we have mentioned; and also not anything that comes out from the anus without excuse, whether worms, stones, or snakes; nor enemas, nor administering medicine into either of the two exits, front or back. And touching the private parts of an animal or its genitals does not invalidate wuḍūʾ; and also not shaving hair after wuḍūʾ; or clipping the nails; or anything that exits from a woman's vagina such as white discharge or yellowish or brownish discharge, or the color like water from washing meat, or red blood that was not preceded by menstruation. And laughing during the prayer also does not invalidate wuḍūʾ. And also not anything other than what we have mentioned.

The decisive evidence for us not obliging wuḍūʾ for all of the above is that no Qurʾān, Sunnah has ever come that oblige wuḍūʾ for any of that.

---

[277] Al-Mudawwanah 1/120

[278] Al-Umm 2/140 | Ruʿūs al-Masāʾil 1/266

And Allah did not rule upon anyone from humans or jinn any obligation of wuḍūʾ except for the causes mentioned before. What falls outside of that is invalid. There is no sharʿ except what Allah the Exalted obligated and what His Messenger ﷺ came to us with.

As for obliging wuḍūʾ for a bleeding nose or blood exiting the body, or for anything exiting the body and ḥijāmah there are many narrations attributed to the Prophet ﷺ[279]and every single one of them are weak as they are not free of the following who are all weak: Idrīs ibn Yaḥyā al-Khawlānī, Sulaymān ibn Arqam, Ismāʿīl ibn ʿAyyāsh is weak he had severe ghaflah, ʿAṭāʾ ibn ʿAjlān, ʿAbbād ibn Kathīr, ʿAbd al-ʿAzīz ibn Juraij, Sawwār ibn Muṣʿab, Abū Khālid ʿAmr ibn Khālid al-Qurashī, ʿUmar ibn Riyāḥ, Yazīd ibn Khālid and Yazīd ibn Muḥammad are majhūl. And there is Inqiṭāʾ between Tamīm al-Dārimī —» the Prophet ﷺ, and Muḥammad ibn al-Faḍl ibn ʿAṭiyyah is weak, Sufyān ibn Ziyād, Ḥajjāj ibn Nuṣayr is weak, Abū Bakr al-Dāhirī ʿAbdullah ibn Ḥakīm, Al-Walīd ibn Hishām al-Qurashī is majhūl and ʿAbd al-Malik ibn Mihrān is weak. And the father of ibn Juraij had no ṣuḥbah. And Yaʿīsh ibn al-Walīd is not a thiqah.

They also mention the ḥadīth established from the Messenger of Allāh ﷺ regarding Fāṭimah bint Abī Ḥubaysh which we have mentioned earlier and it is his ﷺ statement, "It is only vein, and it is not menstruation."

And he ﷺ obligated wuḍūʾ for it.

They say, "So this obliges wuḍūʾ obligatory for every flowing vein."

This is qiyās and qiyās is false. Then even if it would be true, this would be the essence of falsehood because if it is not permissible to make qiyās of blood from a vein that exits from the private part upon menstrual blood that also exits from the exact same private part, while both are blood from the place and Allāh has made a difference between

[279] Sunan al-Dāraquṭnī 553, 560, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 577, 578, 579, 581, 582, 583, 584, 588, 590, 591, 592, 593, 594, 595: Ḍaʿīf

their rulings, then it is even more false to make qiyās of blood that comes from outside the private part upon blood that exits from it. And even more false is making qiyās of pus to blood.

And even more false than that is to make qiyās of the fluid exiting from a blister to blood or pus. Nor can water that exits from the nose or the ear be made qiyās upon water that comes from a blister.

And more false than all of that is to make the blood from a vein exiting from the private part oblige wuḍūʾ, whether a little or a lot, while vomiting which is made qiyās upon it, does not invalidate wuḍūʾ except if it fills the mouth.

Then they did not make qiyās of a worm exiting from a wound upon a worm exiting from the anus, and this is confusion at its most extreme.

And if they say: We make qiyās of all this upon feces because all of it is najāsah, we say to them: We find that gas exits from the anus and breaks wuḍūʾ, yet it is not najāsah. So why did you not make qiyās upon that the belch and the sneeze, since these too are air exiting the body, with no difference?

And you have already invalidated your own qiyās by ruling that even a small amount of urine or feces breaks wuḍūʾ, but pus, vomit, blood, and water do not break wuḍūʾ except if they fill the mouth, or flow, or dominate over the saliva. This is confusion and abandonment of analogy. Then how when every single qiyās is false.

The greatest wonder is that Abū Ḥanīfah and his companions do not rule ghusl obligatory when manī exits from the penis without pleasure for which they mention a weak narration attributed to the Prophet ﷺ[280]. In which there is clear inqiṭāʾ for anyone with eyes.

So it is the same manī for which Allāh and His Messenger ﷺ made ghusl obligatory, yet they oblige wuḍūʾ for pus exiting from the face by making qiyās based on qiyās from blood exiting from the private part! And the greatest wonder is that they heard the Prophet's

[280] Al-Muṣannaf of ibn Abī Shaybah 887, 2/176: Ḍaʿīf

ﷺ saying prohibiting slaughtering with a tooth because it is a bone and then ruler all bones prohibited to slaughter with. But then they came to his ﷺ statement regarding the woman with istiḥāḍah: "It is but a vein," and they make qiyās from it to nosebleeds, bleeding gums, and pus. This is the extent of their knowledge of qiyās, their level of adherence to narrations, and how much they taqlīd those before them.

And it is attributed to the Prophet ﷺ that he would make wuḍūʾ from harming Muslims[281].

This is weak as Dāwud ibn al-Muḥabbar, he is a liar known for fabricating ḥadīth.

And it is narrated about the Prophet ﷺ that he ordered Buraida to make wuḍūʾ from touching an idol[282].

This is weak as Ṣaliḥ ibn Ḥayyān is weak.

As for us there is no ḥujjah except in an authentic narration from the Prophet ﷺ or the Qurʿān.

As for riddah if a Muslim performs wuḍūʾ and ghusl for janābah or is a woman then did ghusl from menstruation then became murtadd then returned to Islām without ḥadath. There has not come Qurʿān or an authentic narration that riddah is a ḥadath, invalidating ṭahārah and they concur with us that riddah does not invalidate ghusl for janābah and also no ghusl for menstruation nor does the previous one return, and also not emancipation of previous slaves and also not the freedom of a man. Then where do they get it from that it invalidates wuḍūʾ.

If they mention the verse, "If you do shirk then your actions will be invalidated and you will be among the losers." [al-Zumar: 65]

We say: This is only for the one that dies as a kāfir not upon the one that returns to Islām, this is clarified by the saying of Allāh, "Whoever among you apostates from your religion then dies, then hebus a kāfir, those are the ones whose actions are invalidated." [al-Baqarah: 217]

---

[281] Al-Kāmil of ibn ʿAdī 3/573: Ḍaʿīf

[282] Al-Kāmil of ibn ʿAdī 7/544: Ḍaʿīf

And his saying, “And you will be among the losers.” [al-Zumar: 65] Is a valid decisive testimony to our saying because there is no difference from anyone of the Unmah that the one that apostates then returns to Islām and dies as a Muslim that he is not from the losers, he is instead from the successful. The loser is only the one dying as a kāfir and this is clear.

And if an apostate enters Islām again, this also does not invalidate his ṭahārah. As for the narrations obliging ghusl when accepting Islām, this does not imply invalidity of ṭahārah at all, it is only a separate obligation just as ghusl is obligatory on jumuʿah, that does not imply loss of purity when the day of jumuʿah begins.

As for blood from the private part of the pregnant woman.

It is established from the Prophet ﷺ that he prohibited divorcing the menstruating woman

[283] and ordered divorcing during the state of pregnancy[284].

So it is established that the state of the menstruating and ḥāʿil (the woman who stops becoming pregnant for a year or multiple years) is other than the state of pregnant. And those who oppose us that the appearance of menstruation is istibrāʾ and a freedom from pregnancy. If it would be possible for the pregnant to menstruate then menstruation would not be freedom from pregnancy and this is very clear and all praise is for Allāh. So it does not oblige ghusl and also not wuḍūʾ as no naṣṣ obliges that. And likewise is the blood of nifās, only ghusl is obligatory because it is a blood of menstruation as we will clarify later by the will of Allāh.

And likewise is the ruling about slaughtering and killing, even if it is a sin, none of that invalidates the state of ṭahārah, because there is no text or Sunnah that obliges such.

And likewise, the one who touches a woman over a garment because he has only touched the garment, not the woman. And

[283] Ṣaḥīḥ al-Bukhārī 5332: Ṣaḥīḥ

[284] Ṣaḥīḥ Muslim 1471, 5: Ṣaḥīḥ

likewise, a man touching another man, as long as it is not the private part.

And likewise and arousal, or stomach growling during prayer, and touching or plucking the armpit, and touching the testicles or the upper inner parts of the thighs, and cutting the hair or nails, none of these oblige wuḍūʾ.

It has been narrated from the Messenger of Allah ﷺ: "Whoever touches his testicles or his upper inner parts of the thighs must perform wuḍūʾ."[285]

This is weak as it is mursal and not musnad.

As for yellowish or brownish discharge (ṣufrah and kudrah) from women, their ruling will be mentioned in the section on menstruation by the will of Allāh.

As for laughing during prayer, obliging wuḍūʾ because of it, it is a weak narration and not authentic, because it is either mursal as narrated through the ṭarīq of Abū al-ʿĀliyah, Ibrāhīm al-Nakhaʿī, Ibn Sīrīn, al-Zuhrī, and al-Ḥasan from Maʿbad ibn Ṣubayḥ and Maʿbad al-Juhanī[286] or it is musnad through the ṭarīq of Anas[287], Abū Mūsā[288], Abū Hurayrah[289], ʿImrān ibn Ḥuṣayn[290], Jābir[291] and Abū al-Malīḥ[292]

As for the ḥadīth of Anas, then it comes through the ṭarīq of Aḥmad ibn ʿAbd Allāh ibn Ziyādah al-Tustarī from ʿAbd al-Raḥmān ibn ʿAmr ibn Bajalah al-Bāhilī and he is weak.

And as for the ḥadīth of Abū Mūsā, there is in it Muḥammad ibn Abī Nuʿaym and he is majhūl.

---

[285] Al-Kabīr of al-Ṭabarānī 510, 511, 24/200: Ḍaʿīf

[286] Al-Istīʿāb 3/1426 | Al-Muṣannaf of ʿAbd al-Razzāq 3763, 3760, 2/376 | Al-Sunan al-Dātaquṭnī 622, 623, 643: Ḍaʿīf

[287] Al-Sunan al-Dātaquṭnī 604, 1/299: Ḍaʿīf

[288] Al-Khilāfiyāt 741, 2/401: Ḍaʿīf

[289] Al-Kāmil 6/59: Ḍaʿīf

[290] Al-Kāmil 3/167: Ḍaʿīf

[291] Al-Sunan al-Dātaquṭnī 646-661, 1/314-319: Ḍaʿīf

[292] Al-Sunan al-Dātaquṭnī 601-602, 1/295-296, 1/298: Ḍaʿīf

And as for the ḥadīth of Abū Hurayrah, there is in it ʿAbd al-Karīm ibn Abī al-Mukhāriq and he is not thiqah.

And as for the ḥadīth of ʿImrān ibn Ḥuṣayn, in it is Ismāʿīl ibn ʿAyyāsh and ʿAbd al-Wahhāb ibn Najdah and ʿAbd al-Wahhāb ibn al-Ḍaḥḥāk and all are weak.

And as for the ḥadīth of Jābir, in it is Abū Sufyān who is Ṭalḥa ibn Nāfiʾ and he is weak[293].

And as for the ḥadīth of Abū al-Malīḥ, there is in al-Ḥasan ibn Dīnār and he is described with lying.

There is no ḥujjah except in the Qurʾān or a ṣaḥīḥ musnad narration from the Prophet ﷺ.

It implies against the Mālikīs and Shāfiʿīs, those who argue by tawātur, such that they claim tawātur about the ḥadīth of Muʿādh in front of the Prophet ﷺ, "I exert my raʾī," and upon those who accept the mursal narrations of Saʿīd and Ṭāwūs, to also accept these āthār because they are more widespread in transmission than those they claim to be mutawātir, and clearer in the number of those who have made irsāl of them than the narrations prohibiting the sale of meat and animal for animal, and all other marāsīl that they act upon.

And it implies against Abū Ḥanīfah and his companions, those who oppose ṣaḥīḥ narrations in matters like al-muṣarrāh[294] or the Ḥajj of a woman on behalf of an old living person[295] and in all other cases where they left the established Sunnah because of qiyās: to reject this corrupt narration by qiyās upon that which is agreed upon, that laughter does not invalidate wuḍūʾ outside of ṣalāh. So, just as it does not invalidate it outside of ṣalāh, it must not invalidate it during ṣalāh as well. But they are not consistent in their method, nor do they follow the sunan, nor do they commit to what they themselves permit in accepting mursal and mutawātir narrations except when such a narration happens to agree with their claims or the positions of those

[293] Al-Istighnāʾ 1088, 2/911: Ḍaʿīf

[294] Ṣaḥīḥ Muslim 1524, 24

[295] Ṣaḥīḥ Muslim 1335

they make taqlīd of. Then they are the first to reject it. Sufficient is Allāh for us, and He is the best disposer of affairs.

And it is said to them: in which Qurʾān, or in which Sunnah, or by what qiyās, did you find that the severity of some forms of ḥadath causes wuḍūʾ to be invalidated whether it is minor or major, while in other forms you lessen its severity and specify that it invalidates wuḍūʾ only if it reaches a limit you have determined? While the text regarding all of them comes in the same form: the Messenger of Allāh ﷺ said, "Ṣalāh is not accepted from one who does ḥadath except if he performs wuḍūʾ."[296]

It is not hidden from any one with ʿaql that some ḥadath is ḥadath, and as that is the case, then its small amount and large amount both nullify ṭahārah. And what is not ḥadath, then neither its small amount nor large amount invalidate ṭahārah. And with Allāh exalted is He is success.

The Matters that Oblige Ghusl

Issue: Insertion of the Ḥashafah (Glans) or its Extent Into the Woman's Private Part

From the matters that obligate washing the entire body is the insertion of the ḥashafah (glans) or the insertion of the amount equivalent to it from a penis that is lacking the ḥashafah, or from one exceeding the length of the ḥashafah, into the woman's private part, that is, the canal through which a child is delivered whether through ḥarām or ḥalāl intercourse, if it was done intentionally, whether ejaculation occurs or not, then full-body washing (ghusl) is obligatory. And if the woman

[296] Ṣaḥīḥ Muslim 225: Ṣaḥīḥ

also intended it, then likewise, whether she ejaculates or not. But if one of them was insane, or intoxicated, or asleep, or unconscious, or compelled, then for the one in such a state, only wuḍūʾ is obligatory once he or she regains consciousness or wakes up except if ejaculation occurs, in which case ghusl becomes obligatory. If one of them was not yet bāligh (puberty) then no ghusl and no wuḍūʾ is obligatory. But when he reaches puberty, ghusl is obligatory for that which occurs after that, not for what happened before reaching maturity, and wuḍūʾ.

The decisive evidence for this is what ʿĀʾishah narrated from the Prophet ﷺ who said, "When the two circumcised parts meet, ghusl becomes obligatory."[297]

And it was narrated by Abū Hurayrah from the Prophet ﷺ who said, "When he sits between her four limbs (her two legs and her two labia) and their circumcised parts touch, then ghusl becomes obligatory."[298]

And the Prophet ﷺ said, "When he sits between her four limbs and exerts himself (she tired him) then ghusl is obligatory upon him, whether he ejaculates or not."[299]

This has an addition, authentic compared to the ḥadīths in which ghusl is not obliged. And an addition in the narration is a revealed sharīʿah that must not be abandoned.

And we only said about the place of childbirth, because circumcision (khitān) only exists in that location, so it is the same whether one is circumcised or not, because the wording "exerts himself" obliges that meaning, and the Prophet ﷺ did not specify it to permissible or prohibited intercourse.

And we only applied this ruling to intentional acts, excluding the cases we previously mentioned, because his saying ﷺ, "When he sits and then exerts himself," this wording only applies to someone who does it deliberately and intentionally.

---

[297] Ṣaḥīḥ Muslim 349, 88: Ṣaḥīḥ

[298] Sunan Abī Dāwud 216: Ṣaḥīḥ

[299] Musnad Aḥmad 8574, 14/240-241: Ṣaḥīḥ

One who is overpowered (forced), or asleep, or unconscious, is not described as one who sat.

As for the insane person (majnūn), we already mentioned the statement of the Messenger of Allah ﷺ, "The pen has been lifted from three," and he ﷺ mentioned, "The insane until he regains his mind, the child until he reaches puberty."

So, when all of these conditions, insanity, unconsciousness, sleep, and childhood are no longer there, then wuḍūʾ becomes obligatory upon them, because they now fall under the obligation of ṣalāh and wuḍūʾ in general, and ghusl if they are in a state of janābah while these (aforementioned) individuals are not in a state of janābah. And with Allah, the Most High, is success.

If it is said, "Why did you not make ghusl obligatory for them based on the ḥadīth of the Prophet ﷺ, "When the two circumcised parts meet, ghusl becomes obligatory"?

We say: This narration is more general than his saying ﷺ, "If you become fatigued or lazy, then ghusl is not obligatory upon you."[300]

So, the more specific must be made an exception from the general, so that both narrations can be acted upon together.

Then the ḥadīth of Abū Hurayrah from the Prophet ﷺ has an additional ruling beyond the ḥadīth of not obliging ghusl, so it must also be applied.

So the exception is for those whom we mentioned, there is no ghusl upon them except wuḍūʾ and the others are obliged ghusl.

As for any place in which there is no circumcision and it is not possible for circumcision to be there, there is no text or Sunnah that obligates ghusl for penetration in such a location.

[300] Ṣaḥīḥ al-Bukhārī 180: Ṣaḥīḥ

Issue: Ghusl After Becoming Junub

If any of the people we mentioned earlier becomes junub, then it is obligatory upon them to wash the head and the entire body, when the unconscious person regains consciousness, the insane person recovers, the sleeping person wakes up, the drunk person sobers up, the kāfir becomes Muslim. And this is after they become junub in those situations not before. And ghusl is obligatory because of janābah.

The decisive evidence of this is the statement of Allah ﷻ, "And if you are in a state of janābah, then purify yourselves." [al-Māʾidah: 6]

So, if a kāfir would perform ghusl before embracing Islām, or an insane person before regaining sanity, or an unconscious person before awakening, or a drunk person before sobering up, it does not suffice them as ghusl for janābah.

They are obliged to repeat the ghusl, because by janābah being released they become junub and are obliged ghusl by that.

And fulfilling an obligation that Allah ﷻ has ordered is not valid except if by intending to carry it out fulfilling what Allāh ordered.

As Allah ﷻ said, "And they were not ordered except to worship Allah, being sincere to Him in religion." [al-Bayyinah: 5]

Likewise, if any of them perform wuḍūʾ in these states for a ḥadath it is invalid, and they must repeat it after the state has ended, for the same reason mentioned above.

Issue: Janābah is the Fluid From Which a Child is Created

Janābah is the fluid from which children can be created. From the man, it is: thick, white, and its smell is like date-palm pollen. From the woman, it is: thin, yellowish. The discharge of this fluid from a sterile man or woman (unable to bear children) obliges ghusl. But the fluid of

a castrated person does not oblige ghusl. As for someone whose penis is severed but still possesses the two testicles, or even one of them his fluid does oblige ghusl.

The decisive evidence of this is the ḥadīth of Umm Sulaym that she asked the Messenger of Allah ﷺ about a woman who sees in her sleep what a man sees (wet dream). The Messenger of Allah ﷺ said: "If a woman sees that, then she must perform ghusl." She asked: "Does that happen?" He ﷺ replied: "Yes, from where does the resemblance (in the child) come? The man's fluid is thick and white, and the woman's fluid is thin and yellow. From whichever of them dominates or comes first, the resemblance occurs."[301]

Yazīd ibn Zurayʾ heard from Saʿīd ibn Abī ʿArūbah early, before his ikhtilāṭ.

This is the fluid that obliges ghusl, the fluid of a fertile man or woman, the infertile (ʿaqīm or ʿāqir), and the one who still has his testicles safe, even if his penis has been severed (majbūb). This is the description of such fluid, and such a person can have a child.

As for the fluid of a castrated man (khaṣī), it is merely yellow, and not the fluid regarding which the revealed text obligates ghusl. So ghusl is not obligatory for that type of fluid.

And if a woman was engaged in shufrah, meaning he touched her or had intercourse with her on the outer part of her private area without penetration and she is mature and the man's fluid entered her private part, and she became pregnant then ghusl is obligatory upon her without a doubt, because she has with certainty released the fluid that is janābah.

[301] Ṣaḥīḥ Muslim 311: Ṣaḥīḥ

Issue: When Janābah is Discharged, Ghusl Becomes Obligatory

Whenever janābah is discharged whether by a blow (injury), an illness, without experiencing pleasure, or the person was unaware of it until he noticed it, or by difficulty, then ghusl is obligatory in all of these cases.

The decisive evidence of this is the statement of Allah ﷻ, "And if you are in a state of janābah, then purify yourselves." [al-Māʾidah: 6]

And the order of purifying after janābah is mujmal. And its mubayyan is in that the Prophet ﷺ would perform ghusl when he would be junub[302].

If it is said, "Then why not allow simply removing the impurity or wuḍūʾ as 'purifying' falls under that."

We say: That would only be the case if there would be no text with clarification of the description of ghusl from janābah, and as that is the case it is not allowed for anyone to turn away from the mubayyan which is certain and decisive for an assumption.

This is a general ruling that applies to anyone from whom janābah is discharged. Neither Allah ﷻ nor His Messenger ﷺ made any exception for any case, so it is not permitted for anyone to exclude any situation based on raʿī without a revealed text.

If the person with chronic difficulty is harmed by ghusl, then he must perform tayammum, because he is not able to find the means for ghusl. His ruling is tayammum, by the text of the Qurʾān. And with Allah is success.

[302] Ṣaḥīḥ Muslim 316, 35: Ṣaḥīḥ

Issue: A Woman Had Intercourse, Then Performed Ghusl, Then the Man's Semen Exited Her Vagina

If a woman was penetrated, then performed ghusl, and then the man's semen came out of her vagina, then nothing is obligatory on her, not ghusl and also no wuḍūʾ because ghusl is only obligatory upon her for her own ejaculation, not for the ejaculation of someone else. And wuḍūʾ is only obligatory because of her own ḥadath, not someone else's ḥadath. The exit of the man's semen from her vagina is not ejaculation from her nor a ḥadath from her. So ghusl is not obligatory upon her, nor wuḍūʾ.

Issue: A Man Ejaculated on a Woman and His Semen Entered Her Vagina

If a man ejaculated onto a woman and his semen entered her vagina, then no ghusl is obligatory upon her as long as she herself did not ejaculate.

Issue: Man and Woman in a State of Janābah Due to Intercourse Without Ejaculation

If a man or a woman became junub through intercourse without ejaculation, and then both performed ghusl, whether they urinated afterward or not, and then some of the previously mentioned fluid or all of it exited from one of them then ghusl is obligatory in that case without exception. If they had prayed before that occurred, their prayer is valid. But they must then repeat the ghusl. If the fluid exited during the ghusl, whether a small or large amount, then the one from whom it exited must restart the ghusl from the beginning.

The decisive evidence for this is the generality of His statement ﷻ, "And if you are in a state of janābah, then purify yourselves." [al-Māʾidah: 6]

And that the mubayyan for this is ghusl as mentioned before. It is not permissible to specify this generality by raʿī.

Those who did not see ghusl as obligatory argued that he already performed ghusl, and that ghusl is for the exiting of janābah from the body, even if it does not appear.

This is not as they claim. Instead ghusl is only obligatory when janābah becomes manifest, because of the saying of the Prophet ﷺ, "If she sees the fluid, then she must perform ghusl."[303]

And if a man experienced sexual pleasure by thinking, and he became certain that the semen had reached the bladder but had not yet come out, then ghusl is not obligatory on him because he is not yet junub. Whoever claims that ghusl is obligatory is obliged decisive evidence m from the Qurʾān or Sunnah which does not exist.

If it is said, "It has been narrated similar to Mālik's view from ʿAlī, Ibn ʿAbbās, and ʿAṭāʾ."

We say: There is no ḥujjah in the saying of anyone other the Messenger of Allah ﷺ.

Issue: One Who Inserted (the Penis) Into the Private Part and Became in a State of Janābah

Whoever inserts (the penis) into the private part and enters a state of janābah, then the intention (niyyah) in the ghusl must include both, for the act of insertion and for the state of janābah. If he intends one of these but not the other, it suffices only for what he intended, but he must repeat (the washing) for what he did not intend. If he was in a state of janābah due to a wet dream or due to wakefulness without

[303] Ṣaḥīḥ al-Bukhārī 282: Ṣaḥīḥ

insertion, then only only intention is needed for ghusl from janābah alone.

The decisive evidence of this is that the Messenger of Allah ﷺ obligated ghusl for insertion, even if there was no ejaculation before and also obligated it for ejaculation, even if there was no insertion as mentioned before. And he obligated wuḍūʾ for insertion. These are different acts. And he ﷺ said, "Actions are only by intentions, and each person will only have what he intended." So there must be for all acts ordered, intention to fulfil it as Allah ﷻ ordered. One act suffices for all of this, because it is authentically narrated from the Prophet ﷺ that he used to perform a single ghusl for all of that and this sufficed by explicit text. And intentions are made obligatory by text. There is no text indicating that an intention for some of these acts suffices for all of them. So, it is not valid to omit intention for any of them. And with Allah ﷻ is success.

Issue: Ghusl on the day of Jumuʿah is an obligation upon every adult, and also perfume and siwāk

Ghusl on the day of Jumuʿah is an obligation upon for every adult, both men and women. And also, using perfume and the siwāk is also obligatory.

Abū Saʿīd al-Khudrī narrated, "I bear witness that the Messenger of Allah ﷺ said: 'Ghusl on the day of Jumuʿah is obligatory upon every person who has reached puberty, as to use the siwāk and touching perfume.'"[304]

A group from among the mutaʿakhirīn went with the view that ghusl on jumuʿah is not obligatory.

They use as argument what is narrated through the ṭarīq of ʿĀʾishah, "The people used to come to Jumuʿah from their homes and

[304] Ṣaḥīḥ al-Bukhārī 858: Ṣaḥīḥ

from al-ʿAwālī (outskirts), and they would come in their cloaks, and dust would reach them, and a bad smell would emanate from them. So one of them came to the Messenger of Allah ﷺ while he was with me, and the Messenger of Allah ﷺ said: 'If only you purified yourselves for this day of yours.'"[305]

And also from her, "The people were laborers and had no servants, and they would have sweat (on them). So it was said to them: 'If only you would perform ghusl on the day of Jumuʿah.'"[306]

They also mention a ḥadīth from al-Ḥasan, "We were informed that the Messenger of Allah ﷺ did not perform ghusl on the day of Jumuʿah, but that his companions used to perform ghusl."

And a ḥadīth from Ibn ʿAbbās, "The Messenger of Allah ﷺ would sometimes perform ghusl and sometimes not on the day of Jumuʿah."[307]

And another ḥadīth from Ibn ʿAbbās regarding ghusl on the day of Jumuʿah, "It is better for the one who performs ghusl, and for the one who does not, then it is not obligatory. I will inform you how the practice of ghusl began: the people were tired and worn out, they wore wool and worked on their backs (laborers), and their mosque was cramped with a low ceiling. So the Messenger of Allah ﷺ came out on a hot day, and the people sweated in their wool garments, until foul smells arose from them, which began to harm one another. When the Messenger of Allah ﷺ noticed the smell, he said: 'O people! When this day comes, then perform ghusl and let each one of you apply fragrance, the best of what he finds of his oil and perfume.' Ibn ʿAbbās said, "Then Allah brought ease, they wore other than wool, stopped working (on Fridays), and expanded their mosque, and much of what caused them to harm each other from the sweat went away."[308]

---

[305] Ṣaḥīḥ al-Bukhārī 902: Ṣaḥīḥ

[306] Ṣaḥīḥ al-Bukhārī 903: Ṣaḥīḥ

[307] Al-Kabīr of al-Ṭabarānī 12999, 12/242: Ḍaʿīf

[308] Sunan Abī Dāwud 353: Ḍaʿīf

And from Samurah, from the Prophet ﷺ, "Whoever performs wuḍūʾ on the day of Jumuʿah, then good And whoever performs ghusl, then ghusl is better."[309]

And similar is narrated through the ṭarīq of Anas from him the Prophet ﷺ [310], and from Jābir from the Prophet[311] and similarly from ʿAbd al-Raḥmān ibn Samurah and Abū Hurayrah, and from Yazīd ibn ʿAbd Allāh Abū al-ʿAlāʾ[312].

This is all that they argue with, and none of it is a ḥujjah for them. There is no good in any of these narrations, except for the ḥadīth of ʿĀʾishah and ʿUmar both of which are ṣaḥīḥ and are not a ḥujjah for them in it as we will clarify, if Allah wills.

As for the ḥadīths of al-Ḥasan and Yazīd ibn ʿAbd Allāh, they are both mursal. And how many mursal narrations of al-Ḥasan do they not act upon? Like his mursal narration regarding performing wuḍūʾ because of laughter in ṣalāh which the Mālikīs and Shāfiʿīs do not act upon. Or like his mursal narration: "The earth does not become impure,"[313] the Ḥanafīs do not accept.

The same applies to Yazīd ibn ʿAbd Allāh. And among the things that incur the wrath of Allah ﷻ is that they treat a mursal narration as ḥujjah but do not act upon it or they do not believe it is a ḥujjah but then cite it as evidence. So they say what they do not do, "Great is hatred [of them] in the sight of Allāh" [Ghāfir: 35]

As for the two ḥadīths of Ibn ʿAbbās: one is through Muḥammad ibn Muʿāwiyah al-Naysābūrī, who is known for fabricating and lying in ḥadīths.

The second is through ʿAmr ibn Abī ʿAmr who is weak[314] from ʿIkrimah and we have also narrated from ʿAmr ibn Abī ʿAmr himself,

---

[309] Sunan Abī Dāwud 354: Ḍaʿīf

[310] Al-Muṣannaf of ibn Abī Shaybah 5312, 3/199: Ḍaʿīf

[311] Al-Ḍuʿafāʾ 2/253 of al-ʿUqaylī: Ḍaʿīf

[312] Musnad al-Ṭayālisī 1447: Ḍaʿīf

[313] Al-Muṣannaf of ibn Abī Shaybah 8866

[314] Al-Kāmil fī al-Ḍuʿafāʾ 6/205

from ʿIkrimah from Ibn ʿAbbās from the Prophet ﷺ: "Whoever has intercourse with a beast, kill him and the animal with him."[315]

So if the narration of ʿAmr is taken as ḥujjah, then let them act upon this. But if it is not a ḥujjah, then they are not permitted to cite it in order to reject established Sunnah. As for ʿAmr, he is weak we do not use him as ḥujjah for us, nor do we accept him as ḥujjah against us. This is the truth which it is not permissible to oppose. And if we were to accept his narration in one situation, we would be obliged to accept it in every situation.

If they say, "It is established from Ibn ʿAbbās what contradicts what ʿAmr narrated from him regarding the killing of the animal and its violator."[316]

We say: And it is also established from Ibn ʿAbbās what contradicts what ʿAmr narrated from him regarding the dropping of the obligation of Ghusl for Jumuʿah. There is no difference. And even if ʿAmr's ḥadīth was authentic, it would not support them, but would rather serve as proof against them. Because the only saying from the Prophet ﷺ in it is an order to perform ghusl and its obligation.

As for all that they cling to regarding the dropping of the obligation of ghusl, that is not from the Prophet's ﷺ words, it is from Ibn ʿAbbās and his saying. And there is no ḥujjah in anyone's saying other than the Prophet ﷺ.

As for the ḥadīth of Samurah, it is only through al-Ḥasan from Samurah and it is not authentic that al-Ḥasan heard from Samurah except for the ḥadīth of ʿAqīqah only. So if they insist on citing this, we say: We have also narrated from al-Ḥasan from Samurah from the Prophet ﷺ: "Whoever kills his slave, we will kill him; and whoever mutilates him, we will mutilate him."[317]

---

[315] Sunan al-Tirmidhī 1455

[316] Sunan Abī Dāwud 4465

[317] Sunan Abī Dāwud 4515

But the Ḥanafīs, Mālikīs, and Shāfiʿīs do not act upon this. We also narrated from him from Samurah from the Prophet ﷺ: "The warranty for slaves is four [days]."[318]

And they also do not act upon this. So it is falsehood and disgraceful to cite narrations in religion only when they match their madhhab and to reject them when they do not. We see no religion remaining with this behavior because this is only following desires in the matter of dīn.

As for the ḥadīth of Anas, it is through Yazīd al-Raqāshī, who is weak.

And also, it is narrated through al-Ḍaḥḥāk ibn Ḥamzah, who is ruined, from al-Ḥajjāj ibn Arṭāh who is rejected, from Ibrāhīm ibn Muhājir who is weak.

Then we look at the ḥadīth of Jābir and see it weak, as it is not narrated except through ṭuruq where: In one, a man is unnamed and unknown; In the second, Abū Sufyān who is weak from Jābir. Muḥammad ibn al-Ṣalt and he is not a thiqah. In the third, al-Ḥasan from Jābir, and it is not authentic that al-Ḥasan heard from Jābir.

As for the ḥadīth of ʿAbd al-Raḥmān ibn Samurah, it is through Salm ibn Sulaymān Abū Hishām al-Baṣrī and he is weak.

As for the ḥadīth of Abū Hurayrah, it is from Abū Bakr al-Hudhalī and he is very weak.

All of these narrations fall away, and even if they would be authentic, they have no naṣṣ or any dalīl to indicate that the ghusl for Jumuʿah is not obligatory. There is only in it most that wuḍūʾ is a good act and that ghusl is better, and there is no doubt in ghat. Allah ﷻ said, "Had the People of the Book believed, it would have been better for them." [Āl ʿImrān: 110] So does this wording indicate that īmān and taqwā are not obligatory? Far be it from Allah ﷻ!

Then, even if all of these ḥadīths mentioned that ghusl for Jumuʿah is not obligatory, that would not be a ḥujjah, because that

[318] Sunan ibn Mājah 2244

would only be in accordance with the state of affairs before the Prophet ﷺ said, "Ghusl on the day of Jumuʿah is wājib upon every adult male and upon every Muslim."

This statement from him ﷺ is a revealed ruling, and a new order that abrogates the earlier state without any doubt. It is not permissible to abandon an abrogating statement and to act instead upon what has been abrogated.

As for the ḥadīth of ʿĀʾishah in which she said, "They were laborers for themselves, coming in cloaks and covered in dust from the outskirts, and foul smells would rise from them. So the Messenger of Allah ﷺ said: 'If only you would purify yourselves for this day of yours,' or: 'Will you not perform ghusl?'" as mentioned.

This is an authentic narration. But there is no ḥujjah for them in it at all, because it must either have taken place before the Prophet ﷺ stood on the minbar and ordered the people to perform ghusl on Jumuʿah, and before he ﷺ informed them that ghusl on Jumuʿah is wājib upon every Muslim and every adult, and that perfume and siwāk are also obligatory. Or it took place after all of what we mentioned. And there is no third possibility.

So if the ḥadīth of ʿĀʾishah occurred before what was narrated by ʿUmar ibn al-Khaṭṭāb, his son, Abū Hurayrah, Ibn ʿAbbās, Abū Saʿīd al-Khudrī, and Jābir, then no one with sound senses doubts that the later ruling takes precedence.

And if the narration of ʿĀʾishah occurred after all of what was narrated from the obligation of ghusl, siwāk, perfume, and it being an obligation of Allah upon every Muslim, then it contains no naṣṣ or any dalīl of abrogation of the earlier obligation, nor of lifting the established obligation of Allah ﷻ.

It is instead only a reproach to those who neglected the obligatory ghusl that had already been ordered. This is an emphasis of a certain order, not its invalidation.

Because the Messenger of Allah ﷺ prohibited long fasting (wiṣāl), yet when the people did not stop, he fasted with them, in a manner of rebuking them[319].

Is it possible in the ʿaql of anyone that this was an abrogation of the prohibition of wiṣāl?

Everything the Prophet ﷺ declared as 'wājib upon every Muslim' and as a 'ḥaqq of Allah upon every adult male' cannot be abandoned, and it can also not be said that it is only recommended or abrogated except by a clear and decisive text revealed after it, stating clearly that it is now only recommended or has been abrogated. Not by false assumptions that contradict certainty.

And that is if we were to assume that ʿĀʾishah's narration occurred after the obligation of ghusl and this can never be the case. Instead there is in her narration clear dalīl that it occurred before the obligation, because she described the people as being self-laborers, in a state of hardship and poverty. And this is the description of the early period of Hijrah without doubt.

And the ones who narrated the obligation of ghusl are Abū Hurayrah and Ibn ʿAbbās, and both became Muslim later and had ṣuḥbah later. As for Abū Hurayrah, his Islam was after the conquest of Khaybar, when the Muslims' situation had improved, and hardship had been lifted from them. And as for Ibn ʿAbbās, he accepted Islam after the conquest of Makkah, just two and a half years before the death of the Messenger of Allah ﷺ. So the confusion is fully resolved, and all praise is due to Allah, Lord of the worlds.

Some said, "If ghusl on Jumuʿah were obligatory according to ʿUmar, ʿUthmān, and the rest of the Ṣaḥābah may Allah be pleased with them then ʿUthmān would not have abandoned it, and ʿUmar and the other companions would not have remained silent and allowed him to abandon it. This indicates that it was not considered obligatory by them."

---

[319] Ṣaḥīḥ al-Bukhārī 1922: Ṣaḥīḥ

This is not a ḥujjah because it is not from the Prophet ﷺ. If there is any disagreement no matter how, the only obligation is returning to the words of Allāh and the ruling of the Prophet ﷺ. As for their words, they are claims that we do not know how their tongues could utter, because it is completely based on assumptions not found in the narration at all no naṣṣ and no dalīl. Instead, the text and dalīl are the exact opposite of what they claimed. Who told you that ʿUthmān did not perform ghusl earlier that day? And who told you that ʿUmar did not order him to go back and do ghusl? Then how when none of their actions are a ḥujjah as clarified entirely in another place?

As for them they claim the actions of the companions are a ḥujjah. And is there anything more astonishing than this, or more deeper in falsehood, than that the saying of ʿUmar with ʿUthmān in the khuṭbah in which they said something in which there is no trace of invalidating the obligation of the Friday ghusl, is taken by them as ḥujjah, while they do not care opposing ʿUmar in his actions and sayings in the presence of the Companions, such as his view that prostration is not obligatory when reciting a verse of sajdah, and that he would descend from the minbar to prostrate when he recited one? Is there anything more astonishing than this? Indeed, this is nothing but playing games.

And how many issues did they oppose ʿUmar and ʿUthmān in, by taqlīd of the sayings of those whose correctness in every statement is not assured, like them opposing the saying of ʿUthmān, ʿAlī, Ṭalḥah, al-Zubayr, and others that there is no ghusl required for mere penetration without ejaculation and also the saying of ʿUmar and Ibn Masʿūd that whoever becomes junub and does not find water, it is not allowed for him to perform tayammum or to pray even if he remains in that state for a month[320] and like what is narrated from ʿUmar and ʿUthmān that they judged the children of a ghārrah (a woman who deceives someone who wants to marry her by presenting herself as free,

[320] Ṣaḥīḥ al-Bukhārī 347

while in reality she is a slave) to be the property of her master[321]. There are many such cases.

And some of them said: "This is a matter great balwa, so if it would be obligatory, it would not have been hidden from the scholars."

We say: Yes, it was not hidden and all of the Companions knew it and said it was obligatory.

And these Ḥanafīs made wuḍūʾ obligatory after any blood coming out of the gums or the body, or after vomiting and this is something of widespread occurrence but no one other than them believe in that. And they do not see that as a ḥujjah against themselves.

And the Mālikīs make rubbing the limbs in ghusl an obligation, and make doing wuḍūʾ immediately without breaks obligatory and that if it is delayed their ṭahārah and prayer are invalid. This is a matter of widespread occurrence, but no one other than them believe in it, and they do not see that as a ḥujjah against themselves.

Yet see it as a ḥujjah when it suits their desires and whom they make taqlīd of.

We seek refuge in Allah from such behavior in the religion and from saying that the Messenger of Allah ﷺ declared something obligatory upon every Muslim and everyone who has reached puberty, and that it is a right of Allah upon every adult Muslim and then say: "It is not obligatory, and also not a right of Allah." This is something from which the skin shivers. And all praise belongs to Allah.

Issue: Ghusl of Friday is for The Day, Not the Prayer

Ghusl on Jumuʿah is for the day, not specifically for the ṣalāh. So, if someone prays Jumuʿah and ʿAṣr, and then performs ghusl, it suffices for him. The earliest time for this ghusl begins after the rising of Fajr on the day of Jumuʿah and continues until there remains from the disk of the sun only enough time for him to complete the ghusl before the

[321] Al-Muṣannaf of ibn Abī Shaybah 21459

end of its setting. The most virtuous time is that which is connected to the departure for Jumuʿah prayer. It is also obligatory upon menstruating women and those in postnatal bleeding, just as it is upon others.

The evidence for this is the narration of Ṭāwūs, "I said to Ibn ʿAbbās: 'They mentioned that the Prophet ﷺ said: 'Perform ghusl on the day of Jumuʿah, even if you are not in a state of janābah, and use perfume.' He said: 'As for the ghusl, yes; as for the perfume, I do not know.'"[322]

So then, the ghusl is for the day. So in any time of the day he performs it, it suffices. And it is invalid in the night of Jumuʿah as that is not the day of Jumuʿah.

If someone says, "But you narrated from the ṭarīa of Shuʿbah —» al-Ḥakam —» Nāfiʿ —» Ibn ʿUmar, from the Messenger of Allah ﷺ: 'If one of you goes to Jumuʿah, then let him perform ghusl.'[323] And you narrated from the path of al-Layth —» Nāfiʿ —» Ibn ʿUmar —» the Prophet ﷺ: 'If one of you wants to go to Jumuʿah, let him perform ghusl.'[324] And from al-Layth —» al-Zuhrī —» ʿAbd Allāh ibn ʿAbd Allāh ibn ʿUmar —» his father: 'The Messenger of Allah ﷺ said: 'Whoever from among you comes to Jumuʿah, let him perform ghusl.'"[325]

We say: Yes, these are all authentic narrations, and there is no contradiction in any of them with what we have said.

As for the statement of the Prophet ﷺ, "Whoever among you comes to Jumuʿah, let him perform ghusl," it is a clear text for our saying.

It only has an order for the one coming to Jumuʿah to perform ghusl, but it does not mention any time for that ghusl, not by naṣṣ or by dalīl.

---

[322] Ṣaḥīḥ al-Bukhārī 884: Ṣaḥīḥ

[323] Al-Mujtaba 1405: Ṣaḥīḥ

[324] Ṣaḥīḥ Muslim 844, 1: Ṣaḥīḥ

[325] Ṣaḥīḥ Muslim 844, 2: Ṣaḥīḥ

There is only in it some of what is in the other narrations because there is in this the obligation of ghusl upon everyone who comes to Jumuʿah, and there is not in it the invalidation of the obligation of ghusl from the one who does not come to jumuʿah.

And there is in the other narrations, from the ṭarīq of Ibn ʿUmar, Abū Hurayrah, Abū Saʿīd, Ibn ʿAbbās, and others, the obligation of ghusl upon every Muslim and upon every adult. It is an additional ruling upon the ḥadīth of Ibn ʿUmar. So it is obligatory to take it.

As for the statement of the Prophet ﷺ, "If one of you intends to come to Jumuʿah, let him perform ghusl," this is also the same in meaning. A person can intend to come to Jumuʿah from the beginning of the day, as it is also mentioned in other narrations, and nothing in this ḥadīth or others obliges that his ghusl must be connected to leaving to jumuʿah. It is permissible that hours pass between the two.

As for his statement ﷺ, "If any of you goes to Jumuʿah, let him perform ghusl," the apparent wording implies that ghusl occurs after going out, just as in the verse, "Then when you feel secure, perform the prayer," [al-Nisāʾ: 103] or alongside going, as in the verse, "When you divorce women, divorce them for their ʿiddah," [al-Ṭalāq: 1], or before going, as in the verse: "When you wish to privately consult the Messenger, offer a charity before your consultation." [al-Mujādilah: 12]

Since all of these meanings are possible, and the wording does not have any naṣṣ or evidence obligating the ghusl to be directly dalīl to going out, our position is established. All praise is due to Allah, Lord of the worlds.

And also, when we look into the implications of the wording in the ḥadīth of Ibn ʿUmar, we find it indicating our saying, because its wording only states, "If any of you goes to Jumuʿah, let him perform ghusl," or "If one of you intends to come to Jumuʿah, let him perform ghusl," or "Whoever among you comes to Jumuʿah, let him perform ghusl."

These are all words from which is not understood anything except that anyone who is from the people that go to jumuʿah and the one that goes to jumuʿah and those that want to go to jumuʿah then they are obliged ghusl. And nothing more. None of these have any indication about the specific time of ghusl, so the wordings in the narration of Ibn ʿUmar is in accordance with our view.

And we are used to our opponents saying, "Whoever narrates a ḥadīth from the Prophet ﷺ is most knowledgeable of its taʿwīl," and this is ibn ʿUmar, the narrator of this ḥadīth, and it is narrated from him that he used to perform ghusl on the day of Jumuʿah right after Fajr. Often, they denounce a view for opposing the statement of a Companion for which no other Companion is known to disagree, and this is a place they contradicted Ibn ʿUmar, and no other Companion is known to oppose him in this matter.

Issue: Washing Every Deceased Muslim is an Obligation

The washing of every deceased Muslim is an obligation, and it must be done. If someone is buried without being washed, they must be exhumed and washed as long as there remains something of the body that can be found and washed except for the martyr who was killed by the kuffār in battle then died therein, washing is not obligatory in his case.

The decisive evidence of this is what was narrated to us by Umm ʿAṭiyyah al-Anṣāriyyah, who said: "The Messenger of Allah ﷺ came to us when his daughter passed away and said: 'Wash her three times, or five times, or more than that if you see it appropriate.'"[326]

So he ﷺ ordered washing her three times. And his order is an obligation, and he encouraged doing more, in odd numbers. As for the martyr, it will be mentioned in the chapter on funerals (janāʿiz) if Allah ﷻ wills.

[326] Al-Mujtaba 1881: Ṣaḥīḥ

Issue: One Who Washes the Dead With His Own Hands Must Perform Ghusl

Whoever washes a deceased person himself, whether by pouring water or by scrubbing must perform ghusl as an obligation.

The decisive evidence of this is what was narrated to us from Abū Hurayrah that the Messenger of Allah ﷺ said, "Whoever washes the dead, let him perform ghusl. And whoever carries the deceased, let him perform wuḍūʾ."[327]

He means whoever carries the funeral bier. And Sufyān was from the early narrators from Suhayl ibn Abī Ṣāliḥ.

Abū Ḥanīfah, Mālik, al-Shāfiʿī, and Dāwūd said, "Ghusl is not obligatory after washing the deceased."[328]

Our companions argued using the narration, "Water is only [obligatory] due to water (ghusl is only required after ejaculation)."[329]

This is not a ḥujjah because the order to perform ghusl after washing a dead person and after penetration without ejaculation are both separate rulings, added upon the narration "Water is only [obligatory] due to water." And additions come from Allah through His Messenger ﷺ, and the obligation is to accept and act upon them.

Others objected to this using the narration attributed to the Prophet ﷺ, "Do not declare your dead impure, for indeed the Muslim is not impure, not in life and also not in death.'"[330]

This is weak as all its ṭuruq is filled with majāhīl such as Ibrāhīm ibn ʿIṣmah ibn Ibrāhīm al-ʿAdl, and Abū Muslim al-Musayyab ibn Zuhayr al-Baghdādī. And ʿAbd al-Raḥmān ibn Yaḥyā ibn Ismāʿīl ibn ʿUbayd Allāh al-Makhzūmī is not a thiqah and the ṭarīq of ibn

---

[327] Sunan Abī Dāwud 3162: Ṣaḥīḥ

[328] Mukhtaṣar Ikhtilāf al-ʿUlamāʾ 1/182 | Al-Umm 1/53

[329] Ṣaḥīḥ Muslim 343, 80-81

[330] Al-Mustadrak 1422, 1/542 | Sunan al-Dāraquṭnī 1811, 2/430: Ḍaʿīf

Wahb has clear inqiṭāʾ. Because Ibn Wahb did not name the person who informed him, and the gap between Ibn Wahb and the Messenger of Allah ﷺ is extremely wide.

Even if the narration would be authentic and would be naql al-kāffah, it could still not cling unto it, because there is only in it that he does not become impure due to our dead and that the dead does not becomes impure. And this is naṣṣ of our position: we seek refuge with Allah from believing that a Muslim corpse causes impurity, or that a Muslim is najis.

Instead he is ṭāhir in life and in death. And the obligatory ghusl from washing the dead is not because of any impurity in the corpse at all, but like the ghusl of the deceased person himself, which is obligatory both according to us and according to them. Just as the Messenger of Allah ﷺ was washed after his death and he is the purest of all the children of Ādam, in both life and death and his companions were also washed upon their deaths may Allah be pleased with them while they were the pure and righteous, alive and dead. And like the ghusl on jumuʿah, there is no impurity there. So their attempt to mislead with that narration is invalid. As for what is narrated about the companions about this, when any dispute arises in any form, we are obligated to return to what Allah has ordered us to return to: only His speech and the speech of His Messenger ﷺ. And the Sunnah which we have already mentioned establishes the obligation of performing ghusl after washing a deceased person.

How many cases exist where they have opposed the majority of the companions, without any known opposition among the companions themselves? While they never cease claiming that the actions and words of the companions are a ḥujjah. We have written a large chapter about their severe contradiction in another place. What is truly astonishing is that they argue using the statement of ʿĀʾishah, shile they themselves oppose her in other rulings. She held that wuḍūʾ is obligatory for whatever has been touched by fire and they oppose her. They oppose with ʿAlī ibn Abī Ṭālib, Ibn ʿAbbās, and Ibn al-

Zubayr, while all of them said that a woman with istaḥāḍah must perform ghusl for every prayer, or for each pair of combined prayers. And ʿĀʾishah herself said: "She must perform ghusl every day at the time of Ẓuhr."[331]

And no opposing saying is known among the companions against these rulings, and the likes of this are many.

Issue: Someone Pours Water Over a Person Performing Ghusl, and the Person Intends Ghusl

Whoever pours water over a person performing ghusl, and that person, the one being washed, intends ghusl, then it is valid for him. The decisive evidence for this is that ghusl is water reaching the skin with the intention to perform what Allah ﷻ has made obligatory. So, if a person intends that obligatory act, then he has performed the ghusl that was ordered. There is no text that makes it a condition that he must wash himself with his own hand. And with Allah ﷻ is success.

Issue: Interruption of Menstrual Blood During The Menstrual Period

The cessation of menstrual blood within the menstrual period and also postpartum bleeding (nifās) obliges ghusl of the entire body and head. This is a matter of decisive ijmāʾ from the Prophet ﷺ as we have mentioned and will mention, and whoever opposes it disbelieves in the firmly established texts. With Allah ﷻ we seek strength. We have mentioned that a pregnant woman does not menstruate, and nifās is the blood that comes after the woman delivers the last child in her womb. As for blood that comes before delivery, she is not in nifās, and it is

[331] Al-Muṣannaf of ʿAbd al-Razzāq 1167, 1/303

not postpartum bleeding (nifās). There is no text about that. We will mention in the section on menstruation, the duration of ḥayḍ and nifās, if Allah ﷻ wills.

Issue: The Ruling of a Woman in Nifās and a Menstruating Woman is the Same for Ḥajj and ʿUmrah

A woman in nifās and a menstruating woman are the same. Whichever of them wants to perform Ḥajj or ʿUmrah, it is obligatory upon her to perform ghusl and then make talbiyah (iḥrām).

ʿĀʾishah narrated, "Asmāʾ bint ʿUmays gave birth to Muḥammad ibn Abī Bakr at al-Shajarah. So the Messenger of Allah ﷺ ordered Abū Bakr to tell her to perform ghusl and then say the talbiyah (iḥrām)."[332]

And ʿĀʾishah[333] and Umm Salamah[334], the Mothers of the Believers, may Allah be pleased with them , had their menses, and the Messenger of Allah ﷺ said to each of them: 'Are you in nifās?' She replied: 'Yes.' So this establishes that menstruation is also called nifās, so they are one and the same in name and in ruling, with no distinction between them.

The Prophet ﷺ ordered the woman who is menstruating to abandon prayer[335]. And menstruation is all red, thick blood coming from the uterus, not the vein as the Prophet ﷺ said. He also informed us that menstruation is a matter Allah has decreed upon the daughters of Ādam, so every menstruation blood that appears from the woman's private part from the same place where the child comes out is ḥayḍ, except what has been explicitly excluded by text, such as: the pregnant

[332] Ṣaḥīḥ Muslim 1209: Ṣaḥīḥ
[333] Ṣaḥīḥ al-Bukhārī 294: Ṣaḥīḥ
[334] Ṣaḥīḥ al-Bukhārī 298: Ṣaḥīḥ
[335] Ṣaḥīḥ al-Bukhārī 306: Ṣaḥīḥ

woman, and the woman whose blood cannot be distinguished and does not stop. And with Allah ﷻ is success.

Issue: A Woman Enters into ʿUmrah Then Menstruates

A woman enters into a state of iḥrām for ʿumrah and then begins menstruating. It is obligatory upon her to perform ghusl and then continue with her Ḥajj in the manner we will clarify in the chapter about Ḥajj.

Jābir narrated, "We approached (Makkah) with the Messenger of Allah ﷺ, entering iḥrām for Ḥajj alone, and ʿĀʾishah had entered iḥrām for ʿumrah. When we reached Sarif, she had menstruation... The Messenger of Allah ﷺ entered upon her, and she said: 'I have started menstruating. The people have completed (their ʿumrah), but I have not completed mine. I have not performed ṭawāf of the House, while the people are leaving for Ḥajj.' So the Messenger of Allah ﷺ said to her: 'This is something that Allah has decreed upon the daughters of Ādam. So perform ghusl and then enter into iḥrām for Ḥajj.' So she did."[336]

Issue: Ghusl After Burying a Kāfir

There is nothing that obligates ghusl except what we have already mentioned, because there is no authentic narration establishing anything else. There is a narration about performing ghusl after burying a kāfir[337]. But it is from Nājiyah ibn Kaʿb, who is majhūl. The sharāʾiʿ are only taken from Allah or from His Messenger ﷺ. It is also narrated from the ṭarīq of al-Ḥasan ibn Yazīd al-Aṣam[338]. Which is weak

[336] Ṣaḥīḥ Muslim 1213, 136: Ṣaḥīḥ
[337] Sunan Abī Dāwud 3214: Ḍaʿīf
[338] Musnad Aḥmad 807, 2/186: Ḍaʿīf

because of the weakness of Ismāʿīl al-Suddī[339]. And the ṭarīq with ibn Abī Shaybah[340]. Is weak because Abū Isḥāq ʿAmr ibn ʿAbdullah al-Sabīʾī did not hear from ʿAlī and it is apparent that he made tadlīs here naming an unknown man in another ṭarīq between him and the next narrator[341].

Issue: Ghusl for Janābah

As for what is obligatory in ghusl for janābah, it is that he washes his hands three times before dipping them into water if he woke up from sleep, otherwise not. Then he pours water over his head three times, then over his body after the head in such a way that water reaches the skin of his head, all of his hair, and all of his body.

The decisive evidence of this is that Allah ﷻ said, "And if you are in a state of janābah, then purify yourselves" [al-Māʾidah: 6].

ʿImrān Ibn Ḥuṣayn narrated, "We were with the Messenger of Allah ﷺ on a journey… The Messenger of Allah ﷺ gave the man who became junub a container of water and said: 'Go and pour it over yourself.'"[342]

And the Prophet ﷺ said about ghusl from janābah, "It is only sufficient for you to pour three handfuls of water over your head. Then, pour water over yourself completely, and you will be purified."[343]

As for what is described about the ghusl of the Prophet ﷺ like what Maymūnah narrated, "The Prophet ﷺ performed ghusl for janābah. He washed his private part with his hand, then rubbed it against the wall, then washed it. Then he performed wuḍūʾ like for ṣalāh. When he finished his ghusl, he washed his feet."

---

[339] Al-Ḍuʿafāʾ 1/270-271 | Aḥwāl al-Rijāl 20: Ḍaʿīf
[340] Al-Muṣannaf of ibn Abī Shaybah 11962: Ḍaʿīf
[341] Al-ʿIlal 4/144-145
[342] Ṣaḥīḥ al-Bukhārī 344: Ṣaḥīḥ
[343] Sahih Muslim 330, 58: Ṣaḥīḥ

And what Maymūnah also narrated, “I brought the Prophet ﷺ his water for janābah. He washed his hands twice or thrice, then put his hand into the vessel. Then he poured water over his private part and washed it with his left hand. Then he struck his left hand on the ground and rubbed it vigorously. Then he performed wuḍūʾ as he would for prayer. Then he poured three handfuls of water over his head, then washed the rest of his body. Then he moved from his place and washed his feet. I brought him a towel, but he rejected it.”[344]

These are only recommended actions of the Prophet ﷺ.

And it is recommended to do everything beginning with the right side as ʿĀʾishah narrated, “The Messenger of Allah ﷺ used to love starting from the right in wearing shoes, combing his hair, purification, and in all his affairs.”[345]

Issue: Rubbing the Body (Tadalluk) is Not Obligatory In Ghusl

The decisive evidence for this is that we said before that the word ‘ghasl’ and the other words used by the Prophet ﷺ about ordering the ghusl, all of that apply to all of that in the language in which the Qurʾān is revealed. And whoever claims that the word ‘ghasl’ and the others only applies to washing with rubbing (tadalluk) by the hand has made a claim without any decisive evidence.

And also Umm Salamah narrated: “I said, O Messenger of Allah, I am a woman who tightly braids her hair. Should I undo it for ghusl after sexual impurity?” He ﷺ replied: “No. It is sufficient for you to pour three handfuls of water over your head, then pour water over yourself, and you will be purified.”[346]

---

[344] Ṣaḥīḥ Muslim 317, 37: Ṣaḥīḥ

[345] Ṣaḥīḥ al-Bukhārī 168: Ṣaḥīḥ

[346] Sahih Muslim 330, 58: Ṣaḥīḥ

And in this manner all the narrations have come, regarding the Prophet's ﷺ description of ghusl, and none mention anything about rubbing/scrubbing.

Those who claim rubbing is obligatory argued, "There is ijmāʾ that if rubbing occurs during ghusl, it is valid. But there is disagreement if it does not occur. So what is obligatory is that the cessation of janābah cannot be except by the ijmāʾ."

They also mention a ḥadīth where the Prophet ﷺ taught ʿĀ'ishah how to perform ghusl from janābah, "O ʿĀ'ishah, wash your hands, then rinse your mouth and nose, then wash your face, then wash your arms up to the elbows, then pour water over your head, then pour water over your body." Then he ordered her to rub her body and to follow with her hand the areas water may not have reached. Then he said, "O ʿĀ'ishah, pour water again over your head, then rub your body and follow through."[347]

They also mention another ḥadīth that the Prophet ﷺ said, "Under every hair is a state of impurity. So wash the hair and cleanse the skin."[348]

And another ḥadīth in which it is said, "Work the water through the roots of the hair and cleanse the skin."

Another ḥadīth, "A woman asked the Prophet ﷺ about ghusl from janābah, and he ﷺ said: 'Let one of you take her water, purify herself well or thoroughly, then pour water over her head and rub until it reaches the roots of her hair, then pour water over herself."[349]

Some of them said, "We make qiyās on that from the ruling of washing impurities (najāsa) which is not valid except if rubbing occurs."

And some of them said, "The saying of Allāh, 'Purify yourselves' [al-Māʾidah: 6] is a dalīl for thoroughness."

---

[347] Mawāhib al-Jalīl 1/218: Ḍaʿīf

[348] Sunan Abī Dāwud 248: Ḍaʿīf

[349] Sahih Muslim 332, 61: Ḍaʿīf

This is everything they tumult by, and all of it is illusion and false.

As for their statement: "If the ghusl involves rubbing (tadalluk), then ijmāʾ has been established on its completeness, and no ijmāʾ has been established on its completeness without rubbing," this is a false statement. First of that is that this is not something that is considered at all as obliging in religion, because Allah, the Exalted, has only ordered us to follow real ijmāʾ in matters in which the obligation has been established through real ijmāʾ, or the prohibition has been established through real ijmāʾ, or the permissibility has been established through real ijmāʾ. That is what is correct.

As for the action they mention, it is merely an obligation to follow disagreement, not an obligation to follow real ijmāʾ. This is invalid, because rubbing (tadalluk) has not been agreed upon as obligatory, and there is no text (naṣṣ) for it. The act they mentioned is declaring obligatory something for which there is no text for and also no real ijmāʾ, this is invalid.

Then they themselves are the first to contradict this principle (aṣl) of them. If they would follow it consistently, more than nine-tenths of their own positions would be invalidated. The first of that is that it is said to them: If someone performs ghusl and does not rinse his mouth (maḍmaḍah) nor sniff water into his nose (istinshāq), Abū Ḥanīfah says that his ghusl is not valid and that prayer is not permissible with that ghusl[350] So it is said to them: you are then implied to consider rinsing the mouth and sniffing water into the nose obligatory actions of ghusl, because when the person performing ghusl does them, there is 'ijmāʾ' that his ghusl is valid, but if he omits them, there is no 'ijmāʾ' that his ghusl is valid. So it becomes obligatory that the ruling of janābah does not cease except by 'ijmāʾ'. Likewise is the case of everyone that performs ghusl with water from a well into which a sheep has urinated, and no trace of the urine is apparent in it.

[350] Al-Aṣl 1/41

Likewise is the case of one who reverses the order of wuḍūʾ. These cases are too many to mention, indeed, this enters into most of their issues. There almost is not any issue for them or for others, that lets them escape this necessary consequence.

What is enough is that this is a corrupt ruling that has not been obliged by Qurʾān nor Sunnah, because Allah, the Exalted, has only ordered us to return to the Qurʾān and Sunnah when any disagreement arise. The issue of rubbing (tadalluk) is a matter of disagreement, so ‘ijmāʾ’ is not considered in it at all.

As for the narration from ʿĀʾishah, it is false because it does not exist with a complete isnād anywhere. It is only mentioned in some places but as mursal, because ʿAbd Allāh ibn ʿUbayd ibn ʿUmayr did not meet ʿĀʾishah, the most distant person he saw was Ibn ʿUmar during the days of Ibn al-Zubayr, then how when the remaining isnād is not preserved anywhere except for this part.

And even if it would be authentic, it would be evidence against them, because it has the order to perform rubbing (tadalluk), just as it includes rinsing the mouth (maḍmaḍah), blowing the nose (istinthār), and sniffing water into the nose (istinshāq). There is no difference among these. They do not say that any of these as obligatory, while Abū Ḥanīfah claimed all of them are obligatory except rubbing. So if any of them cite this narration as evidence, then they have contradicted their own argument, invalidated it, and disobeyed what they themselves affirm as not to be disobeyed. No group among them has the right to treat the part that agrees with their view as obligatory and the part that opposes it as recommended except that the opposing group does the same. As for us, if it would be authentic, we would have accepted everything in it. But as it is not authentic, we abandon all of it.

As for the narration: “Under every hair is a state of janābah, so wash the hair and cleanse the skin,” it is from the narration of al-Ḥārith ibn Wajīh, and he is weak. Even if it would be authentic, it would not be a ḥujjah for them, because there is only in it the order to wash the

hair and cleanse the skin, which is correct. And there is no indication that this cannot be done except by rubbing/scrubbing. It is instead complete without rubbing.

As for the narration that says: "Comb through the roots of the hair and cleanse the skin," it is also not a preserved narration with a complete isnād anywhere, which is enough falsehood, and it is only mentioned that it comes from Yaḥyā ibn ʿAnbasah from Ḥumayd from Anas. Yaḥyā ibn ʿAnbasah is known for fabricating ḥadīths[351], so the narration is entirely invalid. Even if it would be authentic, it would only indicate the obligation of combing through (takhlīl), not rubbing (tadalluk). This opposes their position, because they do not disagree that if someone pours water over his head and moves his hands over it without combing through, that it is valid. So them clinging unto this narration is invalid.

As for the ḥadīth: "One of you must take her water…" it is from Ibrāhīm ibn Muhājir from Ṣafiyyah from ʿĀʾishah, and Ibrāhīm is weak as mentioned before. Even if it would be authentic, it would be a ḥujjah against them, not for them, because there is only in it massaging the sides of her head, and this is against their claim. So all of the narrations they cling unto falls apart.

As for their claim that they draw qiyās to this ruling from the ruling of washing of najāsah (impurity), then all qiyās is false, and even if qiyās would ever be valid, it would here be the essence of falsehood. Because the rulings for impurity differ. Some types of impurity are removed with three stones, without any water. Some are removed by pouring water over them without scrubbing. Some oblige washing and the removal of the physical substance.

So what has made ghusl from janābah comparable to some of these types excluding others? And how can it be compared to them when even based on the principles of ahl al-qiyās, it is corrupt? Because impurity is a physical substance (ʿayn) that must be removed,

[351] Mīzān al-Iʿtidāl 9599, 4/400

while for the junub there is no physical substance that must be removed from his skin. So the invalidity of their statement is entirely invalid. And with Allah, the Exalted, is success.

Also, if the physical impurity ceases by pouring water, then scrubbing and rubbing are not obligatory. Pouring alone suffices. Then why did they not make qiyās of ghusl from janābah to this type of impurity removal? That would have been more appropriate, since in both cases there is no physical substance to remove. And with Allah, the Exalted, is success.

As for their claim that the saying of Allah, the Exalted, "Purify yourselves" [al-Māʾidah: 6] indicates emphasis/thoroughness (mubālaghah) then it is confusion of that that cannot be grasped. It is not known in which sharīʿah or language they found this. Allah, the Exalted, also said about tayammum, "But He intends to purify you." [al-Māʾidah: 6], and that is a light wiping, by ijmāʾ from us and from them. So all that they try to embellish with collapses, and it established that rubbing (tadalluk) has no significance in ghusl. And with Allah, the Exalted, is success.

Issue: There is No Meaning to Running the Fingers Through the Beard During Ghusl or Wuḍūʾ

There is no meaning to running water through the beard hairs in ghusl nor in wuḍūʾ.

The decisive evidence for this is what Ibn ʿAbbās narrated, "Shall I not inform you of the wuḍūʾ of the Messenger of Allah ﷺ? So he performed wuḍūʾ once, once."[352]

Washing the face once does not allow the water to reach the roots of the hair, and that cannot be achieved except by repeating the washing and rubbing.

[352] Sunan Abī Dāwud 138: Ṣaḥīḥ

And Allah ﷻ said, “Then wash your faces.” [al-Māʾidah: 6]

The face is what faces and confronts from the outer part, not the inner (roots).

A group claimed that running the fingers go through the beard is obligatory.

They mention the narration of Anas, “The Messenger of Allah ﷺ used to, when performing wuḍūʾ, take a handful of water and insert it under his chin and comb it through his beard, and he said: ‘With this my Lord has ordered me.’”[353]

And they mention the ḥadīth from Anas that the Prophet ﷺ said, “Jibrīl came to me and said: Your Lord ordered you to wash the fanīk and the fanīk is the chin, comb your beard at the time of purification.”[354]

And from Ibn ʿAbbās, “The Messenger of Allah ﷺ used to purify himself and comb his beard, and would say: ‘This is how my Lord has ordered me.’”[355]

All of this is not authentic, and if it would be authentic, we would follow it. As for the ḥadīth of Anas, it comes through al-Walīd ibn Zuwārān, who is majhūl and another ṭarīq has ʿUmar ibn Dhuʾayb, who is also majhūl; a third ṭarīq has Muqātil ibn Sulaymān, who is weak and is from the words of liars. A fourth ṭarīq has al-Haytham ibn Jammāz, who is weak, narrating from Yazīd al-Raqāshī, who is worthless, so all of them are invalid.

As for the ḥadīth of Ibn ʿAbbās, it is from the ṭarīq of Nāfiʿ mawla Yūsuf, and he is weak and is munkar ul-ḥadīth. And in the others are unknown majāhīl.

And the one that is from the ṭarīq of Ibn Wahb does not have any mention who is between him and the Prophet ﷺ, so all of that is discarded.

---

[353] Sunan Abī Dāwud 145: Ḍaʿīf

[354] Al-Ḍuʿafāʾ 3/176: Ḍaʿīf

[355] Al-Ḍuʿafāʾ 4/332-333: Ḍaʿīf

As for those who recommended running the fingers through the beard, they mention a ḥadīth from ʿUthmān ibn ʿAffān that the Messenger of Allah ﷺ used to comb through his beard[356].

And ʿAmmār ibn Yāsir from the Prophet ﷺ in the same manner[357].

And ʿĀʾishah from the Prophet ﷺ in the same manner[358].

And ʿAbdullah ibn Abī Awfa from the Prophet ﷺ in the same manner[359].

And al-Ḥasan from the Prophet ﷺ in the same manner[360].

And Abū Ayyūb from the Prophet ﷺ in the same manner[361].

And Anas from the Prophet ﷺ in the same manner[362].

And Umm Salamah from the Prophet ﷺ in the same manner[363].

And Jābir from the Prophet ﷺ in the same manner[364].

None of this is authentic:

As for the ḥadīth of ʿUthmān ibn ʿAffān it is through the ṭarīq of ʿĀmir ibn Shaqīq and he is weak.

As for the ḥadīth of ʿAmmār it is through the ṭarīq of ʿAbd al-Karīm ibn Abī al-Mukhāriq and he is weak.

As for the ḥadīth of ʿĀʾishah it is through the ṭarīq of Ṭalḥa ibn ʿUbaydullah ibn Kurayz al-Khuzāʿī, he is from the peers of al-Zuhrī and even later, while al-Zuhrī did not hear from ʿĀʾishah so this is a clear inqiṭāʾ.

As for the ḥadīth of ibn Abī Awfa it is through the ṭarīq of Abū al-Rawqāʾ ibn ʿAbd al-Raḥmān al-ʿAṭṭār and he is weak.

---

[356] Sunan ibn Mājah 430: Ḍaʿīf

[357] Sunan ibn Mājah 429: Ḍaʿīf

[358] Musnad Aḥmad 25970, 25971 , 43/119: Ḍaʿīf

[359] Al-Ṭahūr of Abū ʿUbayd 82: Ḍaʿīf

[360] Al-Ṭahūr of Abū ʿUbayd 316: Ḍaʿīf

[361] Al-Ṭahūr of Abū ʿUbayd 312: Ḍaʿīf

[362] Tārīkh Dimashq 43/211: Ḍaʿīf

[363] Al-Kabīr of al-Ṭabarānī 664, 23/298: Ḍaʿīf

[364] Al-Kāmil of ibn ʿAdī 1/403: Ḍaʿīf

As for the ḥadīth of Abū Ayyūb it is through the ṭarīq of Wāṣil ibn al-Sāʾib and he is weak.

As for the ḥadīth of Anas it is through the ṭarīq of Ayyūb ibn ʿAbdullah[365] and he is majhūl.

As for the ḥadīth of Umm Salamah it is through the ṭarīq of Ilyās al-Madanī from Abū al-Jahm ibn Ḥudhayfah al-ʿAdawī and he is weak, munkar ul-ḥadīth, and he is not the Ilyās that narrates from Shuʿbah, he is a thiqah.

As for the ḥadīth of Jābir it is through the ṭarīq of Aṣram ibn Ghiyāth and he is weak.

As for the ḥadīth of al-Ḥasan and ʿAmr ibn al-Ḥārith, they are mursal.

So everything in this chapter is invalid.

Indeed, it implies against those who use the ḥadīth of Muʿādh, "I exert my raʿī," in front of the Prophet ﷺ as a ḥujjah and make it an aṣl in the religion, and those who use the ḥadīths about performing wuḍūʾ with nabīdh and performing wuḍūʾ after laughing during ṣalāh, and the ḥadīth about selling meat for live animals, and they claim these are well-known and 'mutawātir,' that they must also use these narrations as argument because they are even more apparent and more 'mutawātir' than those. But the people are only concerned about saving the position they currently are in, nothing else.

And those who believe in running the fingers through the beard say, "We find that the face is agreed upon to be obligatory to wash before the growth of the beard, so when the beard grows, some claimed that the obligation drops while others say that it remains. So, it is obligatory not to omit what we agreed upon except by another text or consensus."

This is correct, and it has been invalidated by naṣṣ because what must be washed is only what is still called the "face". So when it becomes hidden by the growth of hair, the name "face" no longer

[365] Musnad al-Bazzār 6671, 13/204: Ḍaʿīf

applies to it. That name changes to what is visible of the face from the hair. And when its name falls, its ruling falls. And with Allah ﷻ is success.

Issue: Does a Woman Have to Comb Through the Hair at the Forehead or Her Braids During Ghusl from Janābah?

A woman is not obligated to comb through the hair at the front of her head or her braids during ghusl from janābah, because of what we have mentioned previously in the chapter of rubbing the body (tadalluk).

Issue: Must a Woman Undo Her Braids and Forehead Hair in Ghusl?

A woman is obligated to undo her braids and the hair at her forehead when doing ghusl for ḥayḍ (menstruation), Jumuʿah, washing of the deceased, and nifās (postnatal bleeding).

The decisive evidence is the narration from ʿĀʾishah that the Prophet ﷺ said to her regarding ḥayḍ, "Unbraid your hair and perform ghusl."[366]

The aṣl of 'ghusl' ensuring complete coverage of all hair, and to make the water definitely reach the skin, unlike masḥ (wiping). So this requirement only drops where there is a text making an exception, which only applies to janābah, and it is established by ijmāʿ and texts that the ghusl of nifās is the same as that of ḥayḍ.

[366] Sunan ibn Mājah 641: Ṣaḥīḥ

If the narration is mentioned from Umm Salamah, "O Messenger of Allah, I am a woman who tightly braids her hair. Must I undo it for ḥayḍ or janābah?" He said: "No."[367]

We say: Yes except that the ḥadīth of ʿĀʾishah in which is undoing the braids in ḥayḍ, that is an additional ruling and affirms a sharʿ upon the ḥadīth of Umm Salamah and the ziyādah must not be abandoned.

And it is narrated through a weak ḥadīth from ʿAbd al-Malik ibn Ḥabīb —» ʿAbdullāh ibn ʿAbd al-Ḥakam —» Ibn Lahīʿah, —» Abū al-Zubayr —» Jābir ibn ʿAbdillāh —» the Messenger of Allah ﷺ, "A woman performing ghusl from ḥayḍ or janābah does not undo her hair."[368]

This ḥadīth is weak, if its weakness was only Ibn Lahīʿah that would be enough to reject it. Then how when there is also in it ʿAbd al-Malik ibn Ḥabīb, and that is sufficient grounds for weakness. And also Abū al-Zubayr did not say 'ḥaddathanā' and he is known for tadlīs when narrating from Jābir except if he is explicit.

If it is said, "'ʿĀʾishah herself denied that women must undo their braids. As ʿUbayd ibn ʿUmayr narrated, "It reached ʿĀʾishah that ʿAbdullāh ibn ʿAmr ibn al-ʿĀṣ was ordering women to undo their braids when performing ghusl. She said, 'How strange is Ibn ʿAmr! He orders women to undo their braids when they perform ghusl? Why doesn't he go ahead and tell them to shave their heads! I used to perform ghusl with the Messenger of Allah ﷺ from a single vessel, and I would not do more than pour three handfuls of water over my head.'"[369]

This narration is not a ḥujjah against us for many reasons. First of them is that ʿĀʾishah did not mean with this except ghusl for janābah only and that is how we say it. And the clarification for that is her mentioning at the end of the ḥadīth about her doing ghusl with the

[367] Ṣaḥīḥ Muslim 330: Ṣaḥīḥ

[368] Al-Muṣannaf of ibn Abī Shaybah 807: Ḍaʿīf

[369] Ṣaḥīḥ Muslim 331

Prophet ﷺ from one vessel, and that without doubt for janābah not for menstruation.

The second is that if it would be valid that she meant menstruation that would not be against us a ḥujjah because we are not ordered to accept her raʿī, we are only obliged to accept her riwāyah, that is the obligation.

And the third is that she is opposed by ʿAbdullah ibn ʿAmr who is a companion, and when there is a difference, it is obligatory to return to the Qurʿān and Sunnah, not to the saying of one of those who differ without the other and there is in the Sunnah what we mentioned and all praise is for Allāh.

Issue: A Person in Need of an Obligatory Ghusl Immerses in Flowing Water

If someone upon whom an obligatory ghusl is obligatory, no matter the reason, and he immerses himself in flowing water with the intention of performing that ghusl, then it is sufficient for them. The same applies if they stood under a waterspout intending to perform ghusl, then it is also valid, as long as the water reaches their entire body. This is because we have previously clarified that rubbing is not obligatory. So the person has purified and performed ghusl as ordered.

Issue: A Person in Need of an Obligatory Ghusl Immerses in Still Water with the Intention of Ghusl

If someone upon whom an obligatory ghusl is obligatory immerses himself in still water and intends ghusl, it suffices for ḥayḍ, nifās, ghusl of jumuʿah, and ghusl after washing a corpse. But it does not suffice for janābah. If a person in a state of janābah intends one of those other ghusls while immersing in still water, without intending ghusl for

janābah or even if he intended ghusl for janābah, it does not count for any of those ghusls.

The water in all such cases is ṭāhir (pure) no matter the amount, little or much, and is purifying if taken, whether for that person or others, in all cases. And whether it is in a small container, well, or cistern, or a large still pond that stretches for far distances, all of these are the same in ruling.

The decisive evidence of this is what Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'None of you must take ghusl in still water while a junub.'"[370]

So the Messenger of Allah ﷺ prohibited the junub from taking ghusl in still water. From this, it is necessary that anyone who takes ghusl while in a state of janābah in still water that he disobeys Allah if they are aware of the prohibition. It is invalid for any ghusl they intended, because he ﷺ prohibited it in general.

This ḥadīth is more general than the narration of Ibn ʿAjlān from his father, because if that would be the only narration, it would have been sufficient for the junub to bathe in still water for other ghusls besides janābah. But the generality of the ḥadīth and it is not allowed to oppose the ziyādah of the ʿadl.

If a junub washes anything of his body in still water, it is not valid, even if it's a single hair, because a part of ghusl is ghusl. And the Messenger ﷺ did not prohibit non-junub people from taking ghusl in still water.

Allāh said, "He does not speak from desire; it is only revelation that is revealed." [al-Najm: 3-4]

And Allāh said, "And your Lord is never forgetful." [Maryam: 64]

So it is affirmed that anyone who is not junub is permitted to perform any obligatory or non-obligatory ghusl in still water. And by Allah is all success.

---

[370] Ṣaḥīḥ Muslim 283 | Sunan Abī Dāwud 69: Ṣaḥīḥ

Issue: One Who Becomes Junub on the Day of Jumuʿah

Whoever becomes junub on the day of Jumuʿah, whether a man or a woman, it does not suffice them to perform only one ghusl. Instead, two separate ghusls are obligatory: One with the intention of janābah, and another with the intention of Jumuʿah. If that person also washed a deceased body, then a third ghusl becomes obligatory, with its own specific intention. If a woman has menstruation after intercourse, she has the choice: If she wishes, she may hasten to perform ghusl for janābah, or she may delay it until she becomes ṭāhir (pure). When she becomes pure, it will not suffice her to perform only one ghusl. Instead, she must perform two: One with the intention of janābah, And another with the intention of ḥayḍ. And if this happened on a Friday, and she also washed a dead person, then she is obliged to perform four separate ghusls, as mentioned. If a person intends with one ghusl two or more of the ghusls mentioned, none of them are valid, and he must repeat them all. The same is if he intended more than two with one ghusl. But if each person mentioned washes every limb twice for two ghusls, three times for three ghusls, or four times for four ghusls, and intends with each washing the specific ghusl it is for, then that suffices. Otherwise, not. If such a person also wanted to perform wuḍūʾ, then wuḍūʾ is not valid except if it is performed independently, with a separate intention for wuḍūʾ, except in the case of ghusl for janābah only. If the person intends both ghusl for janābah and wuḍūʾ together while washing the limbs of wuḍūʾ, it suffices. But if they intend only ghusl without including wuḍūʾ, then it does not suffice for wuḍūʾ. And if they intended only wuḍūʾ, then it does not suffice for ghusl. And none of this suffices for wuḍūʾ except if it is done in the prescribed order, as we will mention by the will of Allāh.

The decisive evidence of this is the statement of Allah ﷻ, "And they were not ordered except to worship Allah, making the dīn purely for Him." [al-Bayyinah: 5]

And the saying of the Messenger ﷺ, "Actions are only by intentions, and each person will have only what he intended," as mentioned before.

This establishes with certainty that everyone is ordered to intend each of these ghusls individually. It is from falsehood that one action suffices two or more actions when each has a different order.

And it is established with certainty that if a person intends only one of the ghusls obliged of him, then upon the truthful witness of the Messenger ﷺ he only receives the reward for that which he intended, and not for what he did not intend.

So if someone intends two or more ghusls with one act, he has opposed the order, because he is obligated to perform a full complete ghusl for all we mentioned, and he did not do that. And as ghusl cannot be divided, his entire act is invalidated. This is based on the statement of the Messenger ﷺ, "Whoever performs an act that is not in accordance with our order, it is rejected."

As for ghusl for janābah and wuḍūʾ, they are exceptions, as a single act with a single intention for both suffices, because of text indicating it. As narrated from ʿĀʾishah, the wife of the Prophet ﷺ, "When the Prophet ﷺ would perform ghusl from janābah, he would begin by washing his hands, then perform wuḍūʾ like the wuḍūʾ for prayer. Then he would insert his fingers into water and run them through the roots of his hair. Then he would pour three handfuls of water over his head, and then he would pour water over his entire body."[371]

Maymūnah narrated, "I brought the washing (ghusl) of the state of janābah close to the Messenger of Allah ﷺ. He washed his two hands twice or three times, then he put his hand into the vessel, then poured

[371] Ṣaḥīḥ al-Bukhārī 248, 262: Ṣaḥīḥ

water over his farj (private parts) and washed it with his left hand. Then he struck the earth with his left hand and rubbed it vigorously. Then he performed wudūʾ (ablution) as for prayer. Then he poured over his head three handfuls full of his two hands, then washed the rest of his body. Then he moved away from his place and washed his two feet. Then I brought him the towel and he returned it."[372]

So this is the Messenger of Allah ﷺ, he did not count the washing of the parts of wudūʾ as part of his ghusl for janābah or repeat. And we bear witness to Allah that the Messenger of Allah ﷺ did not neglect the intention (niyyah) of every action that Allah obliged upon him. So that intention is obligatory specifically for the ghusl of janābah only, while the remaining ghusls remain as they are in ruling.

Those who claim one ghusl suffices for all pf that argue, "We find that one wuḍūʾ or one tayammum suffices for all types of minor impurity (ḥadath), and one ghusl suffices for multiple instances of janābah, and one ghusl suffices for menses of several days, and one ṭawāf suffices for both ʿumrah and ḥajj in qirān. So it obliges that it must be likewise for everything that obliges ghusl."

This is qiyās, and all qiyās is false. And even if it would be valid, this would be the essence of falsehood. Because the qiyās that one ghusl suffices doe two which are ordered based on what they said about wuḍūʾ would not be earlier than qiyās of the one who is obliged two ghusls upon the one obliged two days of fasting from Ramaḍān, two slave emancipations for two instances of ẓihār, two expiations for two broken oaths, two sacrificial animals for two tamattuʿ actions, two ẓuhr prayers for two different days, or two dirhams from two separate amounts of money.

They are implied that for all that one fast suffices, and that freeing one slave suffices and that one kaffārah suffices and that one hadī suffices and that one prayer suffices and that one dirham suffices.

[372] Ṣaḥīḥ Muslim 317, 37: Ṣaḥīḥ

And in this manner for all acts in the Sharīʿah and this is something no one says. So their qiyās is false and invalidated.

As for wuḍūʾ, the Messenger of Allah ﷺ said, "Allah does not accept the prayer of one who breaks wuḍūʾ until he performs wuḍūʾ again."[373] This establishes that wuḍūʾ is from ḥadath.

And Allah the Exalted said, "And if you are in a state of janābah, then purify yourselves." [al-Māʾidah: 6]

Evey janābah enters this.

It is also authentically narrated from the Messenger of Allah ﷺ that one wuḍūʾ suffices for all minor impurities that preceded it such as sleep, urination, defecation, and sexual contact. And that he ﷺ would make one ghusl after intercourse with all his wives[374].

As for one ṭawāf and one saʿī for both Ḥajj and ʿUmrah in qirān, that is because of the saying of the Messenger of Allah ﷺ, "One ṭawāf is sufficient for both your Ḥajj and your ʿUmrah."[375]

And his statement ﷺ, "ʿUmrah has entered into Ḥajj until the Day of Resurrection."[376]

Issue: It is Disliked For the One Bathing to Dry Himself With a Cloth Other Than The One he Wears

It is makrūh (disliked) for the one performing ghusl to dry himself using a cloth that is not the one he wears. But, if he does it, there is no harm. And this is not disliked in the case of wuḍūʾ.

Maymūnah bint al-Ḥārith narrated, "I prepared a bath for the Messenger of Allah ﷺ and screened him. I then described the way he bathed: He washed his head, then poured [water] over his body, then

[373] Ṣaḥīḥ al-Bukhārī 135, 6954: Ṣaḥīḥ
[374] Sunan Abī Dāwud 218: Ṣaḥīḥ
[375] Sunan Abī Dāwud 1897: Ṣaḥīḥ
[376] Ṣaḥīḥ Muslim 1241: Ṣaḥīḥ

stepped aside and washed his feet. I handed him a cloth, and he gestured with his hand like this and did not take it."[377]

Qays ibn Saʿd narrated, "The Messenger of Allah ﷺ visited us in our home… The Messenger of Allah ﷺ was provided a bath by Saʿd, so he bathed. Then Saʿd handed him a woolen wrap dyed with saffron or wars, and the Messenger of Allah ﷺ wrapped himself with it."[378]

This does not contradict the first narration, because he ﷺ wrapped himself with it, so it became his clothing at that time.

And the Prophet ﷺ did not prohibit this in wuḍūʾ in any authentic narration so it is permissible in that.

Issue: If the One Performing Ghusl Immerses Himself Into Water

In all the types of ghusl we mentioned, a person can begin with his feet or whichever body part he wishes, except in the ghusl of Jumuʿah and Janābah, in which case it is not sufficient except by beginning by washing the head first and then the body. If he immerses himself into water, then he must intend to begin with the head and then the rest of the body.

The decisive for this is the saying of the Messenger of Allah ﷺ that we have already mentioned, "It is a right upon every Muslim from Allah to bathe once every seven days, washing his head and his body."[379]

And it is authentically narrated that the Messenger of Allah ﷺ said, "Begin with what Allah began with."[380]

We will mention this in the order of wuḍūʾ by the will of Allāh

---

[377] Ṣaḥīḥ al-Bukhārī 266: Ṣaḥīḥ

[378] Sunan Abī Dāwud 5185

[379] Ṣaḥīḥ al-Bukhārī 896: Ṣaḥīḥ

[380] Al-Mujtaba 2962: Ṣaḥīḥ

The Prophet ﷺ began with the head before the body, and Allah the Exalted said, “He does not speak from his own desire. It is but a revelation revealed.” [Al-Najm: 3–4]

So it is established that what the Messenger of Allah ﷺ began with in his speech is from revelation sent to him by Allah the Exalted. So, Allah is the One who initiated that which the Messenger of Allah ﷺ began with.

The Description of Wuḍūʾ

Issue: The Description of Wuḍūʾ

He must begin by intending wuḍūʾ for prayer as previously mentioned, then place the water in his nose and draw it in by inhaling, then expel it with his breath once, this is obligatory. If he does it a second and third time, it is good. But it is obligatory to do it three times specifically if a person wakes up from any sleep. And these two actions are obligatory, and wuḍūʾ and ṣalāh are not valid without them, not intentionally and also not forgetfully. Then he must wash his face from the boundary where hair normally grows at the top of the forehead down to the base of the ears together, down to the end of the chin. It is recommended to wash the face three times or twice, but once suffices. He is not obliged to cause the water to reach what descends from his beard beneath the chin, and also not to run his fingers through his beard. Then he must wash his arms from the tips of the fingers up to the elbows, the beginning of the elbows that connect to the arms. Washing them three times is good, and twice is good, and once is sufficient. And water must by necessity must reach the skin under any ring by moving the ring from its place. Then he wipes his head, and however he wipes it, it suffices. But what is recommended is that he wipes the whole head. So however he wipes with both hands, or one

hand, or one finger, it is sufficient. If he wipes part of his head, it suffices, even if it is a small amount. We recommend that he wipes his head three times, or twice, though once suffices. And it is not obligatory upon the woman and man to touch what exceeds from the hair from the growing place of hair on the nape and forehead. Then it is recommended for him to wipe his ears, either with the water he used for wiping the head or with fresh water. It is also recommended to use new water for each limb. Then he washes his feet from the tips of the toes up to the end of the ankles, on the side of the shins. If he washes that three times, it is good, and twice is good, and once suffices. It is recommended to mention the Name of Allah ﷻ when performing wuḍūʾ, but if he does not do so, his wuḍūʾ is complete.

As for our statement regarding maḍmaḍah (rinsing the mouth), nothing has been authentically narrated as an order from the Messenger of Allah ﷺ concerning it. Instead it is an action that he ﷺ did. And we have already said that his ﷺ actions are not obligations; instead, they are for following him, because Allah ﷻ only ordered us to obey the orders of His Prophet ﷺ, and did not order to follow all his actions.

Allah ﷻ said, "Let those who oppose his order beware lest a trial afflict them or a painful punishment." [al-Nūr 63]

And He ﷻ said, "Indeed, in the Messenger of Allah you have a good example." [al-Aḥzāb 21]

As for sniffing water into the nose (istinshāq) and expelling it (istinthār), Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'If one of you performs wuḍūʾ, then let him place water in his nose and expel it.'"[381]

A group tumulted, claiming that bringing water in the nose and blowing it are not mentioned in the Qurʾān, and that the Messenger of Allah ﷺ said: "The prayer of one of you is not complete until he performs wuḍūʾ as Allah has ordered him."[382]

---

[381] Al-Mujtaba 86 | Ṣaḥīḥ Muslim 327,21 | Sunan al-Tirmidhī 27: Ṣaḥīḥ

[382] Sunan Abī Dāwud 858

This is not a ḥujjah for then because Allah the Exalted says, “Whoever obeys the Messenger has indeed obeyed Allah.” [al-Nisāʾ: 80]

So everything that the Messenger of Allah ﷺ ordered, Allah the Exalted has also ordered.

As for our saying about the face, there is no disagreement that what we have said is obligatory to wash before the beard grows. And when the beard grows, then it is the place the beard covers. Nothing from washing any part over which the name ‘face’ is invalidated by a claim, and it is not permitted to distinguish by raʿī between what a beardless youth washes from his face and what a sparse, thick-bearded man washes.

As for what extends downward from the chin of the beard, or what extends from the hairline at the nape or forehead: Allah the Exalted only ordered us to wash the face and wipe the head.

It is known by necessity by everyone that a person’s head is not at his nape, and that the forehead is part of the face must be washed it has no share of the head that is wiped. Likewise, the face is not located on the neck or chest. So, none of these are obligatory, since no Qurʾān nor and also no Sunnah have made them obligatory.

As for our statement regarding washing the forearms, and what is under the ring, and the elbows: Allah the Exalted said, “And your hands up to the elbows.” [al-Māʾidah: 6]

So whoever leaves even something as small as a hair’s breadth of what Allah ordered to be washed has not performed wuḍūʾ as Allah has ordered. And whoever does not perform wuḍūʾ as Allah ordered has not performed wuḍūʾ at all and he has no prayer.

So it is obligatory with certainty to make reach the water to what is under the ring on the finger.

As for the elbows, the word “ilā” in the Arabic language in which the Qurʾān was revealed, has two meanings: It can mean “up to” (limit), and it can mean “along with” (inclusion).

Allah the Exalted said, “Do not consume their wealth together with (ilā) your wealth.” [al-Nisāʾ: 2]

Here, “ilā” means together with. So as the word of “ilā” occurs on both meanings equally and correctly, it is not permissible to specify it to one of the two without decisive evidence.

So washing the forearms up to the beginning of the elbows suffices by one of the two meanings, and it is valid. But if the elbows are washed, there is no harm in that as well.

As for our statement regarding wiping the head, Dāwūd said: “It suffices from that whatever is called a wiping. And likewise, it suffices with whatever he wipes, whether with a single finger, or less, or more, and what is recommended is generality (wiping the whole head) three times.” And this is what is correct.

As for limiting it to a part of the head, then indeed Allah ﷻ says, “And wipe (masḥ) over your heads.” [al-Māʾidah: 6]

And masḥ (wiping) in the language in which the Qurʾān was revealed is something other than washing (ghusl). Washing (ghusl) requires the complete coverage (encompassing), while wiping does not require that.

Whoever opposes us in this matter, they contradict. Because they say, about wiping over the khuffayn that they are lines that do not cover the entire khuff. So what then is the difference between wiping over the khuffayn and wiping the head?

And also it is said to them: If wiping, according to you, requires complete coverage, then it and washing (ghusl) is the same. So what then is the difference between it and washing? If it is like that, then why do you reject wiping the feet in wuḍūʾ and insist that they must be washed, if both wiping and washing, according to you, require full coverage, encompassing the feet. And also, you do not differ that in the ghusl of janābah it is obligatory to ensure water reaches every part of the head, while that is not obligatory in wuḍūʾ. So you have acknowledged admitted that wiping the head is different from washing.

And there is no difference except that wiping does not oblige full coverage only so by this you have abandoned your own saying.

And also: What do you say about someone who left even a single hair during wuḍūʾ and did not wipe over it? Some among you say, "It is sufficient for him." And in this, you have abandoned your own saying.

If they say, "We only oblige the most," then it is said to them: What about leaving two or three hairs? And in that manner forever. If they then set a limit, they have spoken falsehood with no decisive evidence. And if they continue, they end up upon our saying which is the truth.

If they say, "Whoever wipes his whole head, it is valid, and whoever does not wipe all of it, then there is no agreement that his wuḍūʾ is valid."

We say to them: Then oblige by this rinsing the nose (al-istinshāq), and the correct arrangement as obligatory, and other matters that in which there is abandoning from the majority of your madhab.

If they say, "Him ﷺ wiping over his forelock and upon his turban indicates full coverage."

We say: This is the most astonishing thing because you do not allow this act by someone who does it.

Then how can you use as evidence something that you do not permit? And also who told you that it was one single act? They are two separate acts according to the apparent meaning of the narrations on that matter.

As for Abū Ḥanīfah's takhṣīṣ of one-fourth of the head or the amount of three fingers, it is false, because it is a saying with no decisive evidence for it.

If they say: "It is the amount of the forelock (nāṣiyah)."

We say: And how do you know that this is the measure of the forelock? Fingers differ in size, and specifying one-fourth of the head obliges division and measurement, which is false. The same applies to their saying prohibiting wiping with one or two fingers.

If they say: "We only meant most of the hand."

We say: You do not obligate wiping with the hand as an obligation; instead you say that someone stands under a drainpipe and water touched one-fourth of his head, it would suffice him. So the falsehood of your statement becomes clear.

They are asked about their saying about 'most of the hand,' they will not find any evidence to validate it. And likewise, they are asked about restricting it to the amount of the forelock.

If they say: "By following the ḥadīth."

It is said to them: Then why did you go beyond the forelock to the back of the head? What is the difference between going beyond the forelock to other areas and going beyond its size to a different size? And never will they find anything authentic for this from the Prophet ﷺ.

As for al-Shāfiʿī's saying, the naṣṣ has not come with wiping the hair, so his saying considering the number of hairs is invalid.

There has only come in the Qurʾān the wiping of the head so it obliges that nothing is considered except what is called 'wiping the head.'

The narration we mentioned from the Prophet ﷺ is only some of what the Qurʾān came with. The verse is more general than the narration. There is nothing in the narration that prohibits acting upon the verse, and there is no ḥujjah to restrict it to the forelock only. And with Allah is all success.

Issue: Wiping the Ears

As for wiping the ears, they are not obligatory, and are also not part of the head, because all the narrations about this are weak. As they are from Shahr ibn Ḥawshab[383] who is weak and from Ismāʿīl ibn

[383] Musnad Aḥmad 22666, 22638, 22576: Ḍaʿīf

Muslim[384] who is also weak and also from Qāriẓ who is majhūl and through others it has irsāl. And Muḥammad ibn al-Azhar is weak[385].

And no one differs in that the white area between the hairline of the head and the ears is not part of the head in the ruling of wuḍūʾ. So it is impossible that between parts of the human head there is an organ that is not from the head. And that part of the head is separated from the rest of it.

And also, if the ears would be part of the head, then shaving their hair would be obligatory in Ḥajj and qazaʿah would be prohibited on the ears and they do not say this.

We have already mentioned the decisive evidence that limiting to some of the head suffices in wuḍūʾ. So if the ears would be from the head, then wiping them would suffice on behalf of wiping the head and no one says that.

It is also said to them: If the ears are part of the head, then why do you take fresh water for them again when they are part of the head? And where have you seen any body part that requires fresh water for a part of it, separate from the water used for wiping the rest of it? Then even if the narration would be authentic that the ears are from the head, it would not contradict anything we have said. And with Allah is all success.

Issue: The Feet in Wuḍūʾ

As for our saying about the feet: the Qurʾān was revealed with wiping (masḥ). Allah ﷻ said, "And wipe your heads and your feet (arjulakum) up to the ankles." [al-Māʾidah: 6]

The qirā'ah with khafḍ of arjulikum and with fatḥ arjulakum. Nāfiʿ, ibn ʿĀmir, Ḥafṣ, al-Kisāʿī recited with naṣb and the remaining with jarr. Both cannot be except if it is conjoined also with the heads

[384] Musnad Abī Yaʿlā 6370: Ḍaʿīf

[385] Sunan al-Dāraquṭnī 340: Ḍaʿīf

in wiping (meaning conjoined with the ruling of wiping the heads so the feet also take the ruling of wiping). Whether it is recited with kasrah on the lām of arjulikum or with fatḥah as arjulakum it is in every case connected to ruʾūsikum either on the word or on the place. No other else is possible. Because it is not allowed at all to intervene between the maʾṭūf (conjunct) and the maʾṭūf ʿalayh (the initial conjunct). Because that is a problem and deception and misguidance, not a clarification. You do not say, "I hit Muḥammad and Zayd, and I passed by Khālid and ʿUmar," while you mean that you hit ʿUmar at all.

So since the Sunnah has come with the washing of the two feet, it is established that wiping in the Qurʿān is abrogated from the two feet.

Among them is a narration by ʿAlī, "I used to consider the soles of the feet more deserving of wiping until I saw the Messenger of Allah ﷺ wiping over the tops of them."[386]

As for Ḥafṣ ibn Ghiyāth, he only lost his memory after he became the qāḍī of Baghdād and he would after he became the qāḍī narrate only from his memory, not before that. And in this narration, he narrated it from and to only to Kufiyīn not Baghdadiyīn, so there is no harm.

And as for Abū Isḥāq ʿAmr ibn ʿAbdullah, al-Aʿmash narrated from him before his ikhtilāṭ as he was amazed by his memory.

And we only say that the feet must be washed because of what ʿAbd Allāh ibn ʿAmr ibn al-ʿĀṣ said, "The Prophet ﷺ lagged behind us during a journey, and he caught up with us when we were close to the time of ʿAṣr. We began to make wuḍūʾ and wipe over our feet, so he called out in a loud voice: 'Woe to the heels from the Fire!' two or three times."[387]

ʿAbd Allāh ibn ʿAmr ibn al-ʿĀṣ narrated, "We went out with the Messenger of Allah ﷺ from Makkah to Madīnah. When we reached a watering place on the way, some people hurried to perform wuḍūʾ at

[386] Sunan Abī Dāwud 162, 163: Ṣaḥīḥ

[387] Ṣaḥīḥ al-Bukhārī 96: Ṣaḥīḥ

the time of ʿAṣr, and they did so in haste. We caught up with them, and their heels were shining (dry), water had not touched them. So the Messenger of Allah ﷺ said: 'Woe to the heels from the Fire! Complete the wuḍūʾ properly.'"[388]

So he ﷺ ordered the feet to be washed completely in wuḍūʾ and warned of the Hellfire for leaving the heels.

So this narration comes as an addition to what is in the verse and the narrations we have previously mentioned, and it abrogates what is in them. Acting upon the additional text is obligatory.

It is obligatory upon the one that says to abandon the narrations for the Qurʾān, to abandon this narration for the sake of the verse.

And those who abandon authentic narrations in favor of qiyās are implied to abandon this narration because we find that the ruling of the feet is dropped in tayammum, just as the ruling of the head is dropped.

So, understanding them upon the feet as being connected to what is dropped when it is dropped, and affirmed when it is affirmed, is more appropriate than linking them to what is not affirmed.

And also the feet are mentioned alongside the head in the verse so associating them with what they are mentioned with is more correct than associating them with something they were not mentioned with.

And also the head is an extremity and the feet are also extremities, so qiyās of one extremity by another is more fitting than qiyās of an extremity by the middle part of the body (like the arms).

And also, they say it is permissible to wipe over what is worn on the feet so replacing one wiping with another wiping is more appropriate than replacing wiping with washing.

And also: when it is allowed to wipe over a covering of the feet, but not allowed to wipe over a covering of the face or arms, this indicates according to the method of the people of qiyās that the ruling of the feet is lighter than the ruling of the face and forearms. If this is

[388] Ṣaḥīḥ Muslim 241, 26: Ṣaḥīḥ

the case, then the feet deserve wiping, not washing. This would be the strongest qiyās on earth, and that is if any qiyās would ever be valid, then how when all qiyās is false?

Some have said, "The ruling of the body is dropped in tayammum, but this does not indicate that its ruling becomes wiping."

We say: You have spoken the truth and this invalidates your qiyās, and shows you its entire corruption.

Likewise, every time you attempt to join two things by qiyās because they are similar in some aspects, there must also be some aspects by which they differ.

Some have said: "Since Allah said about the feet: 'Up to the ankles' [al-Māʾidah: 6], just as He said about the arms 'Up to the elbows' [al-Māʾidah: 6], this indicates that the ruling of the feet is the same as the ruling of the arms."

It is said to him: The mention of the elbows and ankles is not an evidence that washing is obligatory because Allah also mentioned the face, and did not mention any limit while its ruling is washing. Since Allah ordered the arms to be washed, their ruling is washing. And since He did not order that for the feet, then the ruling must not be washing except if there is text that obligates it. The ruling is with the revealed texts, not with mere claims or assumptions. And Allah Most High is the One who grants success.

Issue: Wiping Over What is Worn on the Head, Such As a Turban or Khimār

Everything worn on the head such as a ʿimāmah (turban), khimār (head-covering), qalansuwah (cap), bayḍah (helmet), mighfar (chainmail hood), or anything similar it is permissible to wipe over it. This applies to both women and men, whether due to illness or without a reason.

The decisive evidence for this is the ḥadīth of al-Mughīrah which we mentioned earlier.

And Bilāl narrated, "The Messenger of Allah ﷺ wiped over his khuffayn and his khimār."[389]

And the khimār of a man is his ʿimāmah.

So six companions may Allah be pleased with them, have narrated this from the Messenger of Allah ﷺ, al-Mughīrah ibn Shuʿbah, Bilāl, Salmān, ʿAmr ibn Umayyah, Kaʿb ibn ʿUjrah, Abū Dharr.

Abū Ḥanīfah and Mālik said, "It is not permissible to wipe over a turban, and also not a khimār, and also not anything else."

No ḥujjah at all is known with those who oppose this.

If they say, "The Qurʾān has come with wiping over the heads."

We say: Yes, and it also ordered to wipe over the feet, but you permit wiping over the khuffayn while the evidence for wiping over the khuffayn is not stronger than that for wiping over the ʿimāmah.

And you have invalidated wiping over the feet while it is the naṣṣ of the Qurʾān based on a narration which our opponents and yours claim that we excused ourselves and you excused yourselves regarding it, while it does not indicate prohibition of wiping.

You also allow wiping over splints and bandages while there is no authentic narrated from the Messenger of Allah ﷺ on that and this is contradiction.

Some of them said, "In the ḥadīth of al-Mughīrah ibn Shuʿbah it says, 'He wiped over the forelock and over his turban.'"[390]

So whoever claims that wiping over only the forelock does not suffice, then he is openly defying Allah ﷻ and the people by using this narration as evidence and he is disobeying everything that is in it.

As for those who say that wiping over part of the head suffices, they said, "The part that sufficed the Prophet ﷺ was wiping over the forelock only and that wiping over the turban was extra and additional."

---

[389] Ṣaḥīḥ Muslim 275, 84 | Musnad Aḥmad 23917, 39/340-341: Ṣaḥīḥ

[390] Musnad Aḥmad 1813, 30/59-60

These people attempted to make everything in the ḥadīth of al-Mughīrah a narration of a single wuḍūʾ, and that is falsehood and boldness in spreading falsehood. It is instead a narration describing two separate actions, which is apparent and implied by the ḥadīth's wording.

And how can that be, when many others other than al-Mughīrah narrated it as well?

Some of them said, "Wiping over a turban is not permissible just as wiping over gloves is not permissible."

This is qiyās and all of qiyās is false. Even if it would be valid, it would be the m essence of falsehood because they contradict it. So it is said to them: If this qiyās is correct, then invalidate wiping over the khuffayn as well, because the feet are more similar to the hands than they are to the head. So say: Just as it is not allowed to wipe over gloves, likewise it is not allowed to wipe over the khuffayn, and there is no difference.

But if they say, "It has been authentically narrated from the Messenger of Allah ﷺ that he wiped over the khuffayn."

Then it is said to them: It has also been authentically narrated that he wiped over the ʿimāmah which is a khimār.

They are further contradicted by saying: Allah ﷻ associated the heads with the feet in wuḍūʾ in the Qurʾān. And you permit wiping over the khuffayn, so permit wiping over the ʿimāmah because both are limbs which are omitted in tayammum. And since, according to you, substituting wiping for washing the feet is allowed, then it must be more appropriate to substitute wiping over the turban for wiping over the head. Also, the head is a limb, and the feet are limbs.

And also, wiping has been established as a substitute for all the limbs of wuḍūʾ wiping with soil on the face and arms replaces washing them in tayammum, wiping over the khuffayn replaces washing the feet, so it is obligatory that wiping over the turban must also be permissible in place of wiping over the head, in order for the rulings to agree in all the body parts in wuḍūʾ.

All of this we only mentioned it as a counter to their invalid qiyās and that there is not a single ruling in which they rely on qiyās except that there is, for those who oppose them a qiyās equal to theirs or even stronger. By that the falsehood of qiyās is apparent to every person whom Allah wills to guide.

And some of them said, "The only reason the Messenger of Allah ﷺ wiped over the ʿimāmah and the khimār was because of an illness in his head."

This is the saying of one from whom lying comes with no burden, and who seeks Allah's forgiveness for speaking with someone the like of this, because he has intentionally fabricated lies and slanders by claiming something for which there is no text and also no evidence. And Allah has hastened the punishment for such a person who fits this description by securing for him a place in the Hellfire, because of his lie against the Messenger of Allah ﷺ.

Then it is said to them, "Say the same regarding wiping over the khuffayn that he ﷺ only did it due to an ailment in his feet. There is no difference."

If a person say this, he would be more excusable than them, because we have narrated from Ibn ʿAbbās that he said about wiping over the khuffayn, "Had you said this was for severe cold or a long journey."

Yet it was never reported from any of the Companions that they said anything of the sort regarding wiping over the turban and khimār.

If someone says, "There is no authentic narration that the Prophet ﷺ wiped over anything other than the ʿimāmah and the khimār, so it is not allowed to abandon what came in the Qurʾān about wiping the head, for other than what is established by the naṣṣ and authentic text about it and qiyās is false. And his action ﷺ does not establish generality in wording such that it is taken upon its generality."

We say: This is an error. Because the Prophet ﷺ did not say that he does not wipe except over an ʿimāmah or khimār. But from his action of wiping over them, we know that direct contact of the head

with water is not an obligation. So as that is the case, then whatever is worn on the head can be wiped over.

Then we say to them: Tell us, if the narrator said: "The Messenger of Allah ﷺ wiped over a yellow ʿimāmah made of linen, folded three times," would it be allowed according to you to wipe over a red one made of cotton, folded ten times or not? And likewise, if he ﷺ wiped over black khuffain, would it be allowed to wipe over white ones or not?

If they insist in the details mentioned by the narrator, they invent a new religion. And if they do not rule those details as binding, then they return to our saying.

Issue: Whether a Person Wipes Over the ʿImāmah and the Khimār Upon a State of Ṭahārah or Not

It is the same whether what we mentioned was worn upon a state of ṭahārah or not.

Abū Thawr said, "A person cannot wipe over the turban and the khimār except if it is worn upon a state of ṭahārah by qiyās with the ruling of the khuffain."[391]

Qiyās is false, and there is no shared ʿillah that gathers the ruling of wiping over the ʿimāmah and khimār with the ruling of wiping over the khuffayn.

Allah the Exalted said, "That you may make clear to the people what was sent down to them" [al-Naḥl: 44]

And He said, "And your Lord is never forgetful" [Maryam: 64].

So if this had been obligatory for the turban and khimār, the Prophet ﷺ would have clarified it.

And the one claiming equality between the ʿimāmah and khimār and the khuffayn, is making a claim without decisive evidence,

[391] Bidāyah al-Mujtahid 1/20

and he is obliged to bring forth decisive evidence for the correctness of his claim.

There is absolutely no valid path to that claim at all except by raʾī and it has no meaning. Allah the Exalted said, “Say: Bring your proof, if you are truthful” [al-Baqarah: 111].

Issue: The ʿImāmah, Khimār, and Khuffayn Without Any Time Limit or Restriction

As for the one who says: “Since wiping over the khuffayn is specified to a specific time during travel and another time during residence, wiping over the ʿimāmah must also be restricted similarly.”

This is a claim without any decisive evidence for its validity

And it is said to him: What is your evidence for what you claim that wiping over the ʿimāmah must have the same two specific time limits mentioned for the khuffayn?

There is no way to indicate this except by mere claim, and it is authentically narrated that the Messenger of Allah ﷺ wiped over the turban and the khimār, and he did not specify any time limit for it.

So it is obligatory to say what the Prophet ﷺ said, and not to introduce into the religion anything he ﷺ did not say.

Allah the Exalted said, “These are the limits set by Allah, so do not transgress them” [al-Baqarah: 229].

Issue: There Was Dye or Medicine Under What Was Worn on the Head

If under what was worn on the head there was dye or some medicine, it is permissible to wipe over them, as we said and there is no difference. And if someone deliberately wears it intending to wipe over it, wiping is also valid.

The wiping mentioned is specific for wuḍūʾ only, and as for any obligatory ghusl, then no, there must be removal of all such coverings and wash the head.

The decisive evidence for that is the Messenger of Allah ﷺ wiped over the ʿimāmah and the khimār and he did not specify any state or condition so it is not permissible to specify wiping to some states and not others.

And when wiping is permissible, then intentionally wearing something that is permissible to wipe over is also permissible.

And the Prophet ﷺ only wiped over them in the case of wuḍūʾ, so it is not allowed to add anything to that which he ﷺ did not do.

It is not permitted to add upon the Sunnah what is not established in it, nor to reduce from it what the words of the narration necessitate. And with Allah is success.

And this is exactly what our opponents say regarding wiping over the khuffayn that it is all the same, equal in all cases.

Issue: Abandoning a Part Which is Obligatory to Wash in Wuḍūʾ or Ghusl

Whoever leaves out a portion that he is obligated to wash in wuḍūʾ or obligatory ghusl even the size of a single hair whether deliberately or forgetfully, then his prayer is not valid with that wuḍūʾ or ghusl until he covers the entirety of what is required. Because he did not pray with the ṭahārah he was ordered to have. And we said before that ‘ghasl’ necessitates encompassing the body, and the Prophet ﷺ said, Whoever performs an action that is not in accordance with our order, it is rejected.”[392]

[392] Ṣaḥīḥ Muslim 1718, 17

Issue: Whoever Reverses the Order of Wuḍūʾ or Puts a Limb Before the One Mentioned Prior To It

Whoever reverses his wuḍūʾ or places a body part before the one that is mentioned before it in the Qurʾān, whether intentionally or forgetfully, his prayer is not valid at all. It is obligatory upon him to begin with his face, then his arms, then his head, then his feet. And in the case of the arms and feet, he must start with the right before the left, as came in the Sunnah. If he performs istinshāq (sniffing water into the nose) and istinthār (expelling it) at the end of his wuḍūʾ, or after a limb among the ones mentioned, it does not suffice. So if he does any of what we have mentioned, then it is obligatory upon him to return to the limb that preceded the one Allah ﷻ mentioned before it, and he must do it until he completes his wuḍūʾ. And he is not obligated to start wuḍūʾ again from the beginning. And if someone immerses himself in flowing water while he is in a state of janābah (major ritual impurity), and he intends ghusl and wuḍūʾ together, it does not suffice for either wuḍūʾ or ghusl. He must perform it in order.

The decisive evidence for that what Jābir ibn ʿAbd Allāh narrated that the Prophet ﷺ said, "Begin with what Allah began with."[393]

This is general, it is not allowed to specify anything from it.

And we only say: No wuḍūʾ nor ghusl is valid when immersion is done with the intention of both acts at once is because he did not perform wuḍūʾ as ordered, nor did ghusl remain with sincerity such that it suffices instead, he mixed it with an invalid act, so ghusl is also invalid on those limbs, because he performed it contrary to what Allah ﷻ ordered.

Abū Ḥanīfah said, "It is permissible to reverse the order of wuḍūʾ, adhān, ṭawāf, saʿy, and iqāmah."[394]

---

[393] Al-Mujtaba 2962: Ṣaḥīḥ

[394] Al-Aṣl 1/31-32

Mālik said, “It is permissible to reverse the order of wuḍūʾ.”[395]

It is not permissible to reverse the order of any of those acts, and none of them is valid if done out of order as clarified.

There is no ḥujjah in anyone’s saying, only the Qurʾān authentic Sunnah.

What is truly astonishing is that the Mālikīs permitted reversing the order of wuḍūʾ while there being no naṣṣ from Allah ﷻ or His Messenger ﷺ permitting it, then they prohibit reversing matters which Allah ﷻ Himself allowed to be reversed such as stoning the jamarāt, shaving, slaughtering, and ṭawāf during the Ḥajj. Indeed, the Messenger of Allah ﷺ permitted performing some of those before others as we shall mention, if Allah ﷻ wills, in the Book of Ḥajj.

But then they, the Mālikīs say, “It is not permissible to perform ṭawāf before the throwing, nor to shave before the throwing.”[396]

And this, as you can see.

As for beginning with the right side: Abū Hurayrah narrated, “The Messenger of Allah ﷺ said: ‘When you perform wuḍūʾ and put on your clothes, then begin with your right side.’”[397]

As for the obligation of preceding performing istinshāq (sniffing water into the nose) and istinthār (expelling it), this is because of the ḥadīth of Rifāʿah ibn Rāfiʿ, in which the Messenger of Allah ﷺ said, “The prayer of any of you is not complete until he performs wuḍūʾ thoroughly (isbāgh), as Allah the Mighty and Majestic has ordered: he must wash his face, and his hands up to the elbows, and wipe his head, and his feet up to the ankles.”

So it is established that there is an isbāgh upon which the washing of the face is connected/associated which is not except istinshāq and istinthār.

---

[395] Al-Mudawwanah 1/123, 1/159, 1/419

[396] Al-Mudawwanah 1/123, 1/159, 1/419

[397] Sunan Abī Dāwud 4141: Ṣaḥīḥ

Issue: Whoever Separates Their Wuḍūʾ or Ghusl

Whoever performs wuḍūʾ or ghusl in a discontinuous manner, it is valid, whether the duration in between is long or short, as long as in the case of wuḍūʾ: nothing nullifying wuḍūʾ occurs between the parts and in the case of ghusl: nothing nullifying ghusl occurs between the parts.

The decisive evidence of this is that Allah ordered purification from janābah and ḥayḍ (menstruation), and wuḍūʾ from ḥadath, and did not oblige or make continuity between the parts, leaving no breaks between them a condition.

So however a person completes it, it suffices because the name of purification applies that he has washed his face, his arms, wiped his head, and washed his feet.

ʿĀʾishah narrated, "When the Messenger of Allah ﷺ wanted to perform ghusl from janābah, he would begin by washing his hands three times, then he would pour water with his right hand onto his left hand and wash his private parts until purified, then wash his hands well, then rinse his mouth three times, sniff water into the nose three times, wash his face three times, wash his arms three times, then pour water over his head three times, then wash the rest of his body, and when he left the bath area, he would wash his feet."[398]

Ḥammad ibn Salamah heard from ʿAṭāʾ before his ikhtilāṭ.

If it is allowed for the Prophet ﷺ to make between his wuḍūʾ and ghouls and its completeness of washing the feet a time then this establishes that separating parts of wuḍūʾ or ghusl by time is valid, as no text prohibits it.

Mālik said, "If the time in between becomes long, he must begin wuḍūʾ over again. If it is short, he continues upon his original wuḍūʾ."[399]

---

[398] Musnad Aḥmad 24648, 41/192: Ṣaḥīḥ

[399] Al-Mudawwanah 1/123

As for Mālik's limit of "length of time," the one defending it is obliged decisive evidence what is that long duration that obliges a new wuḍūʾ by Sharīʿah? And what is the short duration that does not oblige it? There is no way to define this, except by mere claim, and anyone can make a claim like that.

As for the one who defines the limit of continuity between acts of wuḍūʾ by the drying of the water, then this is a clear mistake, because it is a claim without any decisive evidence, and what is like that is false, as we have already clarified.

And as for the one who sets the limit at the duration of seeking water, this is also a saying without any evidence, and no one is unable to fabricate a claim, so that is nothing. What is astonishing is that Mālik permits for a person who experiences nosebleed during his prayer to interrupt between its parts with a lengthy break and an action unrelated to the ṣalāh, yet he prohibits such an interruption in wuḍūʾ.

If some of them mention as argument a narration about the Messenger of Allah ﷺ through the ṭarīa of Baqiyyah —» Baḥīr —» Khālid —» some of the Companions of the Messenger of Allah ﷺ, "The Messenger of Allah ﷺ saw a man praying, and on his foot was a patch (of skin) that the water had not reached, so he ordered him to repeat the wuḍūʾ and the prayer."[400]

This is weak, because it's from Baqiyyah, and he is weak as clarified before, and in its isnād is a man who is unknown.

And every person knows by necessity that the passing of time is not among the acts that nullify wuḍūʾ. And the matter would be even without this narration then how about when this narration comes with its clarification?

[400] Sunan Abī Dāwud 175: Ḍaʿīf

Issue: Excessive Use of Water in Ghusl and Wuḍūʾ

It is prohibited to use excessive water in ghusl and wuḍūʾ or to exceed washing the limbs of wuḍūʾ and wiping the head more than three times, because this is the meaning of isrāf and tabdhīr and isrāf and tabdhīr are prohibited, Allāh said, "Do not commit isrāf." [Al-Aʿrāf: 31] And the meanings of isrāf are wasting property, spending by buying things and the buyer has no surplus wealth to take care of himself and his family remaining after the purchase, and buying that which is prohibited.

Issue: The One Who has Splints (Casts) or Medicated Plasters on his Arms, Fingers, or Legs Because of Necessity

Whoever has splints or a medicated plaster on the arms, fingers, or legs out of necessity, then he is not obliged to wipe over any of that, and the ruling about that area has fallen away. So, if any of that material (splint or medicine) falls off after completing the wuḍūʾ, he is not obliged to wash the area with water, and he remains in a state of ṭahārah as long as he does not nullify it (by ḥadath).

The evidence for this is the statement of Allah ﷻ, "Allah does not burden a soul beyond its capacity." [al-Baqarah 2:286]

And the statement of the Messenger of Allah ﷺ, "If I ordered you to do something, then do from it what you are able."[401]

So by the Qurʾān and the Sunnah, everything that a person is incapable of has been lifted from him, and adding in its place a substitution is a sharʾ. And the sharʾ does not obligate anything except through Qurʾān or Sunnah.

[401] Ṣaḥīḥ Muslim 1337, 412: Ṣaḥīḥ

And neither the Qurʾān nor the Sunnah has brought any substitution for wiping over splints or medicine in place of washing what one is incapable of washing. S the claim of its obligation falls apart.

If it is said, "It has been narrated through the ṭarīq of Zayd —» his father —» his grandfather —» ʿAlī: 'I said: O Messenger of Allah, should I wipe over the splints? He ﷺ replied: 'Yes, wipe over them.'"[402]

This is a narration that is not permissible to narrate except when showing its falsehood because it is narrated by Abū Khālid ʿAmr ibn Khālid al-Wāsiṭī, and he is a liar.

And if it is said, "It has come that he ﷺ ordered them to wipe over the ʿaṣāʾib and tasākhin."

We say: This is also weak, and even if it would be authentic, it would not be a ḥujjah, because the ʿaṣāʾib are turban wraps, al-Farazdaq said, "And riders, as if the wind was being sought from them… for it is held back by how their turbans (ʿaṣāʾib) are wrapped."[403]

And the tasākhīn are khuffayn.

Now, those who oblige wiping over splints only do that by qiyās with wiping over the khuffayn and all qiyās is false.

And as what we said is established, then when the wuḍūʾ is finished and it is allowed to pray by that, then it is not invalidated except by ḥadath or a clear naṣṣ about its invalidity. And the invalidation of a splint or a patch is not a ḥadath and no naṣṣ has come obliging wuḍūʾ from that and the sharāʿiʾ are not taken except from Allāh from his Messenger ﷺ.

[402] Sunan Ibn Majah 657: Ḍaʿīf

[403] Dīwān al-Farazdaq 1/30

Issue: Ruling on Touching the Private Part with the Right Hand

It is not permissible for anyone to touch his penis with his right hand under any circumstance except in cases of necessity, when no other option is available. There is no harm in touching a cloth that is over the private part with the right hand. Touching the private part with the left hand is permissible. And wiping the rest of the body parts with either the right or the left hand is permissible. As for a man touching the private part of a small child for treatment or anything similar from the good acts, such as circumcision or others, it is permissible with both the right and the left hand. And it is permissible for a woman to touch her private part with her right or left hand, and for her to touch her husband's or master's private part with either of her hands.

The decisive evidence of that is that everything we mentioned being permissible, there is no naṣṣ evidence prohibiting any of it and everything that has not been prohibited is permissible, as Allāh said, "And He has explained to you in detail what He has forbidden you, except for what you are compelled to do." [al-Anʿām: 119]

The Prophet ﷺ said, "Leave me with what I have left you with. When I order you with anything, do of it what you are able to. When I prohibit you from anything, then avoid it."[404]

So Allāh said that everything prohibited has been clarified by its name, and what is not clarified is not prohibited. And likewise the two narrations mentioned.

And there has come a prohibition against a man touching his penis with his right hand.

Abū Qatādah narrated, "The Messenger of Allah ﷺ prohibited a man from touching his penis with his right hand."[405]

This is the wording of Maʿmar.

---

[404] Ṣaḥīḥ Muslim 1337, 412: Ṣaḥīḥ

[405] Ṣaḥīḥ al-Bukhārī 153, 154: Ṣaḥīḥ

And the wording from Ayyūb is, “The Messenger of Allah ﷺ prohibited breathing into a vessel, him touching his penis with the right hand, and cleaning with the right hand.”

And by this narration, it becomes prohibited to use the right hand for removing the urine, whether by washing or wiping, as that is cleansing (istiṭābah). And there is no cleansing except what is obliged to remove, what is allowed to let it remain as it is does not oblige cleaning.

The narration of Maʿmar and Ayyūb adds upon what was narrated by others from Yaḥyā ibn Abī Kathīr, who only mention the prohibition of touching the private part with the right-hand during urination or upon entering the restroom.

These additions must be accepted and cannot be rejected, especially as Ayyūb and Maʿmar are more reliable than others who narrated only parts of what they narrated.

All of this is ḥaqq, and acting upon all of it is obligatory, and it is not allowed to reject anything narrated by thiqāt.

Whoever takes the narration of Ayyūb and Maʿmar has taken the narration of Hammām, Hishām al-Dastuwāʾī, al-Awzāʿī, and Abū Ismāʿīl.

And whoever takes the narration of these ones and contradicts the narration of Ayyūb and Maʿmar, then he has disobeyed.

Whoever claims that this narration must be specified to manner that the prohibition of touching the penis with the right hand is only when there is urine because that the narrations have the same outcome, this is false in this case. Because that is only the case when there is certainty that the situation in the narration is about the same time, the same place and the same person, as for when that is not the case all details must be added to each other.

Issue: One Who Is Certain of Having Made Wuḍūʾ or Ghusl, Then Doubts

Whoever is certain that he has performed wuḍūʾ or ghusl, then afterwards doubts whether he invalidated it or did anything that obliges ghusl, then he remains upon his state of ṭahārah, and he is not obliged to renew his wuḍūʾ or ghusl.

But if he did make wuḍūʾ or ghusl while doubting whether he was in a state of impurity or not, and then later becomes certain that he was in a state of minor or major impurity or had done something that obliges ghusl then the wuḍūʾ or ghusl which he performed while in doubt is not valid. Then he must perform another ghusl and another wuḍūʾ.

And whoever is certain that he broke wuḍūʾ, and doubts whether he performed wuḍūʾ or ghusl afterward, then he must act against what he doubts and perform the wuḍūʾ or ghusl.

If he does not do that, and prays in a state of doubt, then afterward becomes certain that there had not been any state of impurity or requirement for ghusl, his prayer is not valid at all.

The decisive evidence is the saying of Allāh, "They follow nothing but speculation, and indeed speculation avails nothing against the truth." [al-Najm: 28]

And the saying of the Messenger of Allah ﷺ, "Beware of suspicion, for suspicion is the most false of speech."[406]

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'If any of you is in prayer and feels something in his rear, whether he passed wind or not and he is unsure about it, then he must not leave (the prayer) until he hears a sound or finds a smell."[407]

As for those that argue in this chapter with the ḥadīth in which the Messenger of Allah ﷺ said, "If any of you is unsure how many

[406] Ṣaḥīḥ al-Bukhārī 6724: Ṣaḥīḥ

[407] Ṣaḥīḥ Muslim 361, 362: Ṣaḥīḥ

rakʿahs of prayer he has prayed, let him disregard the doubt and build upon certainty."[408]

This is not a ḥujjah for them, but against them, because the Prophet ﷺ did not make any ruling for doubt and instead kept the person upon certainty without any doubt.

Issue: Wiping Over What is Worn on the Feet That Reaches Above the Ankles

Wiping over everything worn on the feet that is permissible to wear and reaches above the ankles is Sunnah, whether they are: Khuffayn made of leather, or matted wool or hair, wood, plants. Or socks made of linen, wool, cotton, camel hair, or goat hair whether they have leather covering or not. Or jurmūqayn (overshoes), or khuffayn over khuffayn, or socks over socks, or multiple layers or rural leather shoe. And likewise, if a woman wears what we've mentioned but with silk, then everything we have mentioned, if it is worn upon wuḍūʾ, is permissible to wipe over for: a resident: one day and one night, a traveler: three days and nights. After these time limits end, it is not permissible to wipe. If one of the two durations expire for the one who was given that time, and he has prayed by that wipe and his ṭahārah was not invalidated, then his prayer is valid. But if his ṭahārah is broken, then it is not allowed for him to wipe again. Instead he must remove what is on his feet, perform another wuḍūʾ. If he does what obliges ghusl, he must remove what he wears on the feet, then he can wipe again if he wants as we have described forever. And ṭahārah before having worn something on the feet is a condition for the permissibility of wiping on it, and it is obligatory to perform wuḍūʾ for the next wuḍūʾ if the wuḍūʾ breaks by washing the feet instead of

[408] Musnad Aḥmad 11782, 18/305-306

wiping over what is worn on the feet, when exactly the timing starts and how long will be clarified in the next sections by the will of Allāh.

Ḥudhayfah narrated, "I was walking with the Messenger of Allah ﷺ in Madīnah, and he came to a garbage heap of some people, and urinated while standing. Then he made wuḍūʾ and wiped over his khuffayn (what is worn on the feet above the ankle)."[409]

Al-Mughīrah ibn Shuʿbah narrated, "The Messenger of Allah ﷺ made wuḍūʾ and wiped over his socks (jawrabayn) and what is worn below the ankles (naʿlayn)."[410]

This is also narrated from the ṭarīq of Muslim ibn al-Ḥajjāj[411]

As for what Zirr ibn Ḥubaysh narrated, "I came to Ṣafwān ibn ʿAssāl and said: 'Something has settled in my heart regarding wiping over the khuffayn, have you heard anything from the Messenger of Allah ﷺ about it?' He said: 'We were with the Messenger of Allah ﷺ on a journey, and he ordered us to wipe over them for three days and nights, for urine, stool, and sleep except in the case of janābah.'"[412]

This is weak as ʿĀṣim ibn Abī al-Najūd is weak.

This is a chapter that is as you can see, is narrated as tawātur that establishes certainty.

There is in the ḥadīth of Ḥudhayfah that wiping is allowed in a state of residence.

And there is in the ḥadīth of Huzayl from al-Mughīrah wiping over socks (jawrabayn).

And there is in the ḥadīth of ʿAlī, the permissibility of wiping over everything worn on the feet one day and night for the resident and three days and nights for the traveler.

As for our saying that when one of the two specified durations has ends, the one who wiped still prays with that masḥ (wiping) as long as his wuḍūʾ is not invalidated, but he is not allowed to wipe again

---

[409] Ṣaḥīḥ Muslim 273, 73: Ṣaḥīḥ

[410] Musnad Aḥmad 18206, 30/144: Ṣaḥīḥ

[411] Ṣaḥīḥ Muslim 276, 85: Ṣaḥīḥ

[412] Sunan al-Tirmidhī 3536: Ḍaʿīf

except if he removes them and performs wuḍūʾ, this is because the Messenger of Allah ﷺ ordered that if the person is a traveler, he may wipe for three days only; and if a resident, then one day and night only. And he ﷺ permitted prayer with that masḥ, and did not prohibit praying with it after the appointed period. But he only prohibited wiping after the period ended, and this is the naṣṣ of the narration.

As for ṭahārah being a condition, al-Mughīrah ibn Shuʿbah narrated, "I was with the Messenger of Allah ﷺ (he mentioned his wuḍūʾ). I reached to remove his khuffayn, but he ﷺ said: 'Leave them, for I entered them (the feet) in a state of ṭahārah,' and he wiped over them."[413]

The saying of the Prophet ﷺ, "I entered them," goes back to his feet not to his khuffayn, so it is about his ṭaḥārah not the khuffān being pure.

Abū Ḥanīfah said, "He does not wipe over jawrabayn."[414]

Mālik said, "He does not wipe over them except if the bottom is covered with leather." Then Mālik retracted and said, "He does not wipe over them."[415]

It is also narrated about Mālik that he allows wiping whenever anyone wants, whether he is a traveler or resident without any time limit[416]

Al-Shāfiʿī said, "He does not wipe over them except if they are fully leather-covered."[417]

Making leather covering a condition is false, there is no meaning to that because it was not mentioned in the Qurʾān and also not the authentic Sunnah.

And prohibiting wiping over jawrabayn is a mistake because it is opposition the established Sunnah from the Messenger of Allah ﷺ.

---

[413] Ṣaḥīḥ Muslim 274, 79: Ṣaḥīḥ

[414] Al-Aṣl 1/91

[415] Al-Mudawwanah 1/143

[416] Al-Kāfī fī fiqh Ahl al-Madīnah 1/177

[417] Al-Umm 1/49-50

He ﷺ never specified khuffayn over others in the aḥādīth we mentioned. And naʿl and khuffān mean anything worn on the feet except that naʿl is below the ankles and khuffain above. So this is false from all aspects.

What is astonishing is that the Ḥanafīs, Mālikīs, and Shāfiʿīs see it as grave to have opposition to the view of a Companion when it suits their own imitation, then in this matter, they oppose eleven Companions, and not a single one of those who allowed wiping disagreed with them.

And they also oppose those Companions who did not allow wiping, so they ended up in opposition to every Companion from whom anything was narrated on this matter, and contradicted the established Sunnah of the Messenger of Allah ﷺ.

Those who make taqlīd of him about the claim that wiping can occur whenever, cling unto weak and false narrations in this matter, none of which are authentic. The strongest of them is the narration through the ṭarīq of Khuzaymah ibn Thābit, which was transmitted by Abū ʿAbd Allāh al-Jadalī, the companion of the banner-bearer of the kāfir al-Mukhtār ibn Abī ʿUbayd al-Thaqafī[418].

This is not a ḥujjah for them, because there is not in it that the Messenger of Allah ﷺ permitted wiping for more than three days. There is instead at the end of the narration the words of the narrator, "Had the questioner persisted, he would have added more for us."

This is mere ẓann and the unseen, and it is not permissible to affirm certainty on such things with certainty in matters of news of the people, then how in religion?

What is established is that the questioner did not persist, so nothing more was added for them. So this narration is against them, invalidating their view, and clarifying the limitation to three days in travel and one day and night for a resident.

---

[418] Musnad Aḥmad 21851, 36/170 | Al-Muṣannaf of ibn Abī Shaybah 1882, 2/380: Ḍaʿīf

Another narration is from the ṭarīq of Anas, narrated by Asad ibn Mūsā —» Ḥammād ibn Salamah[419], and Asad ibn Mūsa is munkar al-ḥadīth, none of the thiqāt companions of Ḥammād ibn Salamah narrated this narration.

Another narration from the ṭarīq of Anas which is munqaṭiʿ it only has: "When any of you performs wuḍūʾ and puts on his khuffs, let him pray in them and wipe over them as long as he does not remove them, except due to janābah."[420]

This is weak as it has only come through Miqdām ibn Dāwud ibn Talīd al-Ruʿaynī and he is not a thiqah.

And even if it would be authentic, then the ḥadīths about the time limits are additions and additions must not be omitted.

Another is through the ṭarīq of Ubayy ibn ʿUmārah[421].

This is weak as there is in it Yaḥyā ibn Ayyūb al-Ghāfiqī, ibn Qāniʾ, Ayyūb ibn Qaṭan, and they are weak, and others who are majhūl such as ʿAbd al-Raḥmān ibn Razīn and others. And also Ubayy ibn ʿUmārah does not have a valid Ṣuḥbah as those narrations are all weak.

And another narration and there is in it, "'ʿUmar ibn Isḥāq ibn Yasār the brother of Muḥammad ibn Isḥāq, he said: 'I read in a book of ʿAṭāʾ ibn Yasār along with ʿAṭāʾ ibn Yasār: 'I asked Maymūnah about wiping over the khuffs. She said: 'I said, O Messenger of Allah, can a person continue wiping over the khuffs every hour and not remove them? He said: 'Yes.'''"[422]

This is not a ḥujjah because ʿAṭāʾ ibn Yasār did not say to ʿUmar ibn Isḥāq that he himself was the one who asked Maymūnah and perhaps the questioner was someone else. It is not permissible to claim decisively in matters of religion by doubts. And ʿUmar ibn Isḥāq is weak.

---

[419] Sunan al-Dāraquṭnī 779, 780, 1/376: Ḍaʿīf

[420] Sunan al-Dāraquṭnī 781, 1/376: Ḍaʿīf

[421] Muʿjam al-Ṣaḥābah 1/5-6 | Sharḥ Maʿānī al-Āthār 494, 1/79 | Al-Mustadrak 1/170: Ḍaʿīf

[422] Musnad Aḥmad 26827: Ḍaʿīf

And even if it would be authentic, it would not be a ḥujjah for them, because it only indicates permissibility of wiping at any hour. And that is what we say so them clinging unto these narrations are all invalid.

And when the two time periods end, then Abū Ḥanīfah, al-Shāfiʿī, and some of our companions said, "He must remove them and wash his feet and there is no other way."[423]

But Ibrāhīm al-Nakhaʿī, al-Ḥasan al-Baṣrī, Ibn Abī Laylā, and Dāwūd said, "He may continue to pray as long as his state of ṭahārah has not been nullified by an event that breaks wuḍūʾ."

And this is the saying for which no other saying is permissible, because there is no narration at all indicating that ṭahārah is nullified from the limbs of wuḍūʾ, or from some of them, because of the expiration of the period of wiping.

Instead the Prophet ﷺ only prohibited that anyone wipes more than three days (and nights) for the traveler, or more than a day and a night for the resident.

So whoever says other than this has inserted into the narration that which is not in it, and has attributed to the Messenger of Allah ﷺ what he did not say. Whoever does this out of mistake, then there is no blame on him. And whoever does this deliberately, after the ḥujjah is established against him, has come with something major sin from among the major sins. Ṭahārah is not invalidated except by a ḥadath. And this person's ṭahārah is valid, and he has not nullified it, so he remains in a state of purity. And the one who is ṭāhir can continue to pray as long as he does what text invalidates from it.

And the one whose time for wiping has ended has not had ḥadath and there is no naṣṣ that his ṭahārah is invalidated, not from some of his limbs or all of them, so he is ṭāhir and can continue to pray until he invalidates it. Then, at that point, he must remove his khuffayn and whatever is on his feet, and perform wuḍūʾ, and then begin wiping

[423] Al-Aṣl 1/92-93 | Al-Umm 1/50

again with a new timing period. And in that manner forever. And with Allah Most High is all success.

As for the one who claims that the ṭahārah is nullified only from the feet specifically, then this is a corrupt claim for which is no evidence: not from the Sunnah, nor from the Qurʾān. It is never known in the religion that an act that nullifies ṭahārah after it has been completed and after it has become permissible to pray with would invalidate only part of the limbs and not others. And with Allah Most High is all success.

Issue: The Beginning Time for Wiping

The resident begins counting the day and night or the traveler three days and nights from the moment wiping becomes permissible for them after their ḥadath. Whether they wiped and made wuḍūʾ or did not wipe and did not make wuḍūʾ, on purpose or forgetful. So the time only begins after having done wuḍūʾ, then wearing anything on the feet, and then after the ḥadath. From this moment the time begins for wiping. And if he wipes even a minute before the end of either of the two durations, then he may pray with it as long as he does not have ḥadath.

Abū Ḥanīfah, al-Shāfiʿī, and al-Thawrī said, "The period starts after these two times from the time he enters a state of impurity."[424]

Aḥmad ibn Ḥanbal said, "It begins after these two periods from the time he wipes."

It is narrated from al-Shaʿbī that the resident wipes for only five prayers and no more, and the traveler wipes for only fifteen prayers and no more[425]

[424] Al-Umm 1/50 | Al-Aṣl 1/88-89 | Al-Awsaṭ 2/92

[425] Al-Awsaṭ 2/96

As there is disagreement, it becomes obligatory to look into these sayings and refer them back to what Allah ﷻ has obligated us to refer to, the Qurʾān and the Sunnah of the Messenger of Allah ﷺ.

So we look at the saying of those who say that the period starts after the two durations from the time of ḥadath, and we find it corrupt. Because the order of the Messenger of Allah ﷺ, to which all of them go back to and where correct for that, only came to us with permission to wipe during the stated period, either a day and a night for the resident or three days and nights for the traveler, and they all acknowledge this.

And it is from the impossible for it to be allowed to wipe in wuḍūʾ while in a state of impurity that is not claimed by any of them or anyone else. And also, some ḥadath may last a long time, such as relieving oneself, which could take an hour or two or more, while others like urinating are shorter in duration. So this saying falls apart with no doubt, and it also opposes the authentic narration. They have no valid ḥujjah for it at all.

Then we look at the saying of those who restricted the wiping period to five or fifteen prayers. We find that they have no evidence except their attempt to align it with the number of daily prayers across a day and night or three days and nights. And there is no meaning to this. Because if someone wipes after the time of Ẓuhr at the last time for Ẓuhr, he would be allowed to wipe until the Fajr prayer, but would not be allowed to pray Ḍuḥā or any prayer after that until Ẓuhr with that wiping. And likewise if someone wiped for Fajr at the end of its time, he could wipe until ʿIshāʾ, but would not be allowed to perform Witr, Tahajjud, or the two rakʿahs of Fajr with it. This opposes the ruling of the Messenger of Allah ﷺ, who gave permission to the resident to wipe for a full day and night. But according to their view, he is only allowed to wipe for a day and part of a night, or a night and less than half a day, which is a clear mistake.

And also they are also implied that if someone missed five prayers due to sleep, and then woke up, having previously performed wuḍūʾ and worn his khuffs in a state of purity, then he wipes and

performs those prayers. After completing them, he is not allowed to wipe for the remainder of the day and night. This opposes the authentic narration, so this saying is invalidated by its opposition to the narration and it being free from any decisive evidence.

Then we look at the saying of Aḥmad and find that it is implied that if a fāsiq made wuḍūʾ and wore his khuffs in a state of purity, then abandoned prayer for a month intentionally and later repented, that he can wipe starting from his repentance for a day and night if resident, or three if traveling. Likewise, if he wiped on one day and then deliberately left prayer for several days, he would still be allowed to wipe for a night and similarly for a traveler.

So upon this he continues as a wiping person for a year or more, and this is opposition to the narration, so it becomes invalid as well and nothing remains except our saying.

So we look into it and find only that in accordance with the narration. So it becomes obliging. Because the Messenger of Allah ﷺ ordered to wipe for a day and a night, he has the option either to wipe or to remove what is on his feet. He must do one of the two, nothing else suffices. If he does not do one of them he is a sinner, fāsiq.

If he wipes, then that is valid and good; and if he does not wipe, then he has sinned, except if he forgets, then there is no harm.

If most or all of the time period specified by the Messenger of Allah ﷺ has passed, then only the remaining portion of that time is valid for wiping. And the same applies if he intentionally delays or forgets until the full day and night passes (for a resident), or the three days and nights (for a traveler). Then the period set by Allah ﷻ on the tongue of His Prophet ﷺ has passed, and it is not allowed for him to wipe outside the period that Allah ﷻ permitted wiping in.

If his obligation was tayammum, and he found no water, so he performed tayammum and then wore his khuffs, then if he later finds water, he may wipe on them because tayammum is a complete purification. Allah ﷻ said about tayammum, “But He wills to purify you” [al-Māʾidah: 6] And whoever is allowed to pray with tayammum

is with certainty pure, and if his entire body is pure, then his feet are pure as well. So he has put his feet which are pure into the khuffs, and he can wipe on them for the time period mentioned for a traveler.

But if he only finds water after the full three days have passed counting from the moment he broke his state of purity after wearing the khuffs upon tayammum, then he is no longer allowed to wipe, because the period has ended. He could have wiped earlier by rain falling or by finding someone with water. And the same applies if he finds water only after part of the time has passed then he can only wipe for the remaining portion of the time.

Once his ḥadath occurs, then at that point he is allowed to perform wuḍūʾ and wipe and he does not need to concern himself with istinjāʾ because doing istinjāʾ after wuḍūʾ is valid. It is not a condition that istinjāʾ must be done before wuḍūʾ. There is no order in the Qurʾān or Sunnah making that necessary. Instead, impurity is something we are ordered to remove in a certain way before ṣalāh. So whenever it is removed, before or after wuḍūʾ, the person has fulfilled the obligation. The remaining urine on the outer part of the private part, or feces on the outer opening, is not itself a state of ḥadath. And ḥadath is only their exit from the two private parts. Once they have exited, they are only impurities on the skin that must be removed for ṣalāh only.

So the counting of time begins from then, whether it is time for ṣalāh or not because purification for ṣalāh before its time is valid, and a person can use that same wuḍūʾ to pray a missed ṣalāh or the two rakʿahs of entering the masjid.

If he is a resident, then his time to wipe extends to the same time on the following day if the ḥadath occurred during the day, or to the same time on the following night if it occurred at night. If the time period ends and he has wiped only one of his two khuffs and not the other, then his wiping is invalid, and he must remove both and wash his feet. That's because his wiping was not completed until a time when it had already become ḥarām to wipe. If he is a traveler, then the time extends to the same time on the fourth day if his ḥadath occurred during

the day, or to the same time on the fourth night if it occurred during the night. And with Allah ﷻ is all success.

Issue: Men and Women Are the Same in This

Men and women are equal in all that we have mentioned, and equal are also travels of obedience and disobedience; there is no difference between them in this regard. The same applies to travel that is neither obedience nor disobedience, and short travel and long travel are also the same.

The decisive evidence of this is the general wording of the order and ruling of the Messenger of Allah ﷺ. If he ﷺ intended to make a difference between types of travel obedience from disobedience, he would not have been incapable of doing so. The One who gives provision, health, and financial advantage to the sinner whose forgiveness is hoped for is free to grant concession in the religion to whomever He wills. There are no texts for those who make a difference between travel of obedience and travel of disobedience.

As for the texts, Allah ﷻ says, "So that you may make clear to the people what was revealed to them." [al-Naḥl: 44]

If there would be any valid difference in this issue, the Messenger of Allah ﷺ would not have left it ambiguous. He would not have made us responsible for knowing something without informing us of it, and would not have obligated us to act upon something without teaching it to us. This is something we are certain of, and to Allah belongs all praise.

And also a resident can be engaged in persistent disobedience, oppression of Muslims, or open hostility to Islam, worse than a traveler committing a sin. A traveler can even obey Allah in some of his actions, and the first of these actions is wuḍūʾ, in which the wiping over the khuffs occurs, which they prohibited for him. So they prohibit him from wiping, which is obedience, and told him to wash his feet,

which is also obedience. This is corrupt, while at the same time, they allow a resident who is sinning in his residence to wipe.

If they say: “Wiping is a concession and a mercy.”

We say: Who has restricted Allah from giving concessions to a sinner in some of his acts of obedience? Only someone ignorant of Allah claims such, someone speaking without knowledge. Every travel in which the prayer can be shortened, wiping is allowed with the ruling of travel; and in every situation where there is no shortening of prayer, it is residence, and only the wiping of the resident is allowed. And with Allah is success.

Issue: Performing Wuḍūʾ and Putting On One Khuff After washing That Foot

Whoever performs wuḍūʾ, then puts on one khuff after washing that foot, and afterward washes the other foot after having already worn the khuff on the first and then wears the second khuff, and then breaks wuḍūʾ it is permissible for him to wipe over the khuffs just as if he had put them both on after washing both feet.

Mālik, al-Shāfiʿī, and Aḥmad ibn Ḥanbal said, “He cannot wipe. But if he removes the first khuff that he wore and then immediately puts it back on, then he can wipe. He can only wipe after.

Both groups rely on the saying of the Messenger of Allah ﷺ as mentioned before, “Leave them, for I entered them both while in a state of purity.”

So it is obligatory to seek what is correct. So we find that the one who washes one foot, then put on a khuff on that foot before washing the other, has not entered both feet into the khuffs. He only entered one. So when he then washes the second foot and put on the second khuff, only then does it become correct to say that he has “entered both feet into the khuffs while in a state of ṭahārah.” Before that, he does not deserve that description. So it is established that he

can wipe, and if the Messenger of Allah ﷺ had intended what Mālik and al-Shāfiʿī go with, he would not have used the wording he ﷺ used.

Instead, he would have said, "Leave them, for I started putting them on after I had fully completed purification of both feet."

But as he ﷺ did not say that, then anyone who is truthfully described as having entered both feet into the khuffs while they were purified, it is valid for him to wipe once he breaks wuḍūʾ after that.

And no ḥujjah is known that removing and re-wearing one khuff creates a new ṭahārah or innovates a ruling in the Sharīʿah. Anyone obliging that claims without decisive evidence. And with Allah is success.

Issue: If There Is a Small or Large Tear in the Khuffayn or What Is Worn on the Feet

If there is a small or large tear in the khuffayn or in what is worn on the feet, whether in length or width, and a part of the foot appears through it, whether it is a small or large portion of the foot, or both feet, then all of this is the same: wiping over such covers is all permissible as long as part of it still clings to the feet.

Al-Ḥasan ibn Ḥayy, al-Shāfiʿī, and Aḥmad, and said if there is anything showing from the feet, then wiping is invalid and their argument is that the obligation for the feet is washing if they are uncovered, or wiping if they are covered. So if any part of the foot becomes exposed, even a little, then that part must be washed. They said, "It is not valid to combine washing and wiping on the same foot." And they have no other argument other than this.

All that they say is correct, except their statement, "If a part of the foot is exposed, then that part must be washed." This statement is false, for neither the Qurʾān, and also not the Sunnah, indicates it.

Instead the truth in this matter is what the Sunnah has made clear, clarifying the Qurʾān: that the ruling for feet without any

covering that can be wiped over, is to wash them, and the ruling for feet that are covered with something that can be wiped over is to wipe over that covering. This is what the Sunnah has come with, “And your Lord is never forgetful.” [Maryam: 64]

The Messenger of Allah ﷺ knew, when he ordered wiping over the khuffayn and what is worn on the feet, and when he wiped over the socks, that among the khuffayn, socks, and other matters worn on the feet are those that are heavily torn, those that are slightly torn, those that are intact, red ones, black ones, white ones, new and worn-out ones.

And he ﷺ did not specify some over others. If there would be a difference in ruling in religion, Allah would not have neglected to reveal it, nor would the Messenger of Allah ﷺ have failed to mention it while he is obliged to clarify.

It is then established that wiping is valid in every case, and that wiping does not oblige complete coverage (al-istiʿāb) in the Arabic language with which we are addressed.

Issue: The Khuffān are Cut Below the Ankles

If the khuffān are cut below the ankles, then wiping over them is permissible. It has been authentically narrated from the Messenger of Allah ﷺ that he ordered wiping over the khuffayn, and that he wiped over the jawrabayn (socks). If there had been a specified limit in this matter, he ﷺ would not have neglected or ignored it. So anything that is called a khuff or jawrab or is worn on the feet can be wiped over. We have already mentioned the falsehood of the one that says, “Wiping is not allowed except over something that covers the entire feet and ankles.”

Issue: Wearing the Khuffayn Upon Purity, Then Removing One of Them Without the Other

Whoever wears his khuffayn or jawrabayn or anything similar while in a state of ṭahārah, then removes one of them without the other, if he has broken his wuḍūʾ, then he must remove the other one as well, and wash both feet. We look into this and find the clear ruling from the Prophet ﷺ that he wiped over both of them because he had put them on while in a state of ṭahārah. And he ﷺ ordered washing the uncovered feet, so there is no way out allowed from these two texts. And we find that whoever washes one foot and wipes over the other has done something for which there is nothing in the Qurʾān and Sunnah, or any evidence from their wording; it is instead disobedience to the order. And nothing is allowed in religion except what is in the speech of Allah or the speech of His Prophet ﷺ. It is then obligatory that washing one foot and wiping the other is not sufficient; both feet must either be washed or both wiped. This is the case whether at the beginning of wuḍūʾ or after having wiped them.

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'When any of you puts on, let him begin with the right foot. When he takes it off, let him begin with the left. Let him not walk in a single sandal or a single khuff. Let him remove them both or walk in both.'"[426]

So he ﷺ obligated removing both of them, no other option, or leaving them both on. So, if he removes one and not the other, he has disobeyed Allah by keeping the one he kept. And if keeping it on is disobedience, then it is not permissible for him to wipe over a khuff which the obligation is to remove.

And if this is because of an ailment in his foot, then nothing is obligatory of him for that foot, no wiping and also no washing because the obligation has been invalidated.

---

[426] Ṣaḥīḥ Muslim 2097, 68 | Sunan ibn Mājah 3616: Ṣaḥīḥ

We also find that some who agree with us argued that, “Since no one allows starting wuḍūʾ by washing one foot and wiping the other, then it is not allowed after one of the khuffayn is removed.”

This argument is false, because when starting wuḍūʾ, both feet are impure. That is not the case after wiping was already valid, when both are put on while in a state of ṭahārah. So there is a great difference between the two situations. And with Allah Most High is success.

Issue: Wiping Over What is on the Feet and Then Removing Them

Whoever wiped, as we have mentioned, over what is on his feet and then removed them, that does not harm him in any way. He is also not obliged to repeat his wuḍūʾ, and also not to wash his feet. Instead, he remains in a state of ṭahārah just as he was, and he can continue to pray as he is. And the same is if he wipes over a ʿimāmah or a khimār and then removes them, he is not obliged to repeat wuḍūʾ and also not to wipe over his head again. He remains in a state of ṭahārah and continues to pray. And likewise, if he wiped over a pair of khuffayn that were worn over another pair of khuffayn, and then removed the upper pair, that does not harm him in any way, and he can continue to pray as he is without redoing the wiping. And also if anyone makes wuḍūʾ or ghusl and then shaves the hair, trims it, or clips the nails, he remains in his state of ṭahārah, and continues to pray without needing to wipe over the places that were cut.

Issue: Intentionally Wearing Khuffayn While In a State of Ṭahārah In Order to Wipe Over Them

Whoever intentionally wears the khuffayn while in a state of ṭahārah so that he can wipe over them, or he dyes his feet, or applies medicine

on them and then wears the khuffayn so that he may wipe over that. Or he dyes his head, or applies medicine on it and then wears a turban or khimār so that he can wipe over that, there is no harm in any of that. It is instead good. This is because the text has come permitting wiping over all of that unrestrictedly, and there is no text that prohibits any of it. As Allah ﷻ said, "And your Lord is never forgetful." [Maryam: 64]

It has reached us from some of the early scholars that one of them said: "Whoever performs wuḍūʾ and then wears his khuffayn in order to sleep in them and to wipe over them, then it is not permissible for him to wipe over them."

And this is false, because it is a claim without any decisive evidence, and it is a specification of the Sunnah without evidence.

And every statement that is not validated by the text is false. And with Allah ﷻ is all success.

Issue: Wiping While Resident, Then Traveling Before or After a Day and a Night Pass

Whoever wipes while he is resident and then travels, whether before the completion of a day and a night or after their completion, he continues wiping until he completes a total period of three days and nights for his wiping in both his residency and travel combined. After that, it is not permissible for him to wipe. And if he wipes while traveling and then settles or returns to his place, he begins the wiping of a day and a night if he had wiped during travel for two days and two nights or less, and then it is not permissible for him to wipe after that. And if he wipes during his travel for less than three days and nights and more than two days and nights, then he completes the wiping for the rest of the third day and its night only, and then it is not permissible for him to wipe after that. And if he had already completed in travel the wiping of three days and nights, then he must remove them, and it

is not permissible for him to wipe until he washes his feet with a new purification.

The decisive evidence for this is what we have already mentioned: that the Messenger of Allah ﷺ only permitted wiping for three days and nights for the traveler, and one day and night for the resident. So it is certainly and definitively established that he did not permit anyone to wipe for more than three days and nights, not a resident and also not a traveler. He only prohibited initiating the wiping after the time limit, not praying while having wiped earlier. So what we have said is established.

If he wipes while resident for a day and night, then travels and returns before completing a day and night while traveling or after completing them, it is not permissible for him to wipe at all. Because if he would wipe, he would have wiped while resident for more than a day and night, and that is not permissible.

Our companions differed on this issue. Some of them said, as we have said. Others said, “If he wipes while travelling for less than three days and nights, or even for the full three days and nights but not more, then returns to residence, he can restart wiping for a day and night. If he does not exceed this period and then travels again, he can restart wiping for three days and nights.”

They argue with the apparent wording of the narration.

The apparent wording obliges the validity of our saying, because people are of two types: residents and travellers. The Prophet ﷺ only permitted the traveller to wipe for three days and nights, and only allowed the resident some of the three, one day and night. So, he did not allow anyone, not the resident and also not the traveller, to wipe for more than three days and nights. Whoever travels in which he shortens the prayer, he wipes as a traveller, three days and nights. And whoever goes for less than that, he wipes like a resident because the ruling for this type of going out is the same as residence. And with Allah Most High is success.

Issue: Wiping Over the Khuffayn and What Is Worn on the Feet on Upper Part or Under

Wiping over the khuffayn and what is worn on the feet can be on the upper part and lower part without difference; however, a wipe occurs, even with one finger and no matter where it occurs, is valid.

ʿAlī said, "If the religion were based on opinion, then the bottom of the khuff would be more deserving of being wiped than its top. But I saw the Messenger of Allah ﷺ wiping over the top of the khuffayn."[427]

Wiping (masḥ) does not oblige full coverage (istiʿāb). Whatever wiping is done such that the name 'wipe' applies to it, he has fulfilled the obligation, whether that is on the upper part of what is worn on the feet or underneath. So wiping is valid even with one finger. Specifying three fingers or most of the khuffayn are false claims without any decisive evidence.

Some of them argued, "They have all agreed that if someone wipes with three fingers, it suffices. But if he wipes with less than that, there is disagreement."

We clarified before that this method invalidates their own sayings in many issues.

And it is said to them in the same manner about hastening in wuḍūʾ, rinsing the nose and blowing it out the nose, and performing wuḍūʾ with nabīdh and other such matters. Then how when there are texts ordering masḥ (wiping) without specifying three fingers or fewer. Allah said, "And your Lord is never forgetful" [Maryam: 64].

[427] Sunan Abī Dāwud 162: Ṣaḥīḥ

Issue: Wearing Something on the Feet that Can be Wiped Over While Not in a State of Ṭahārah

Whoever wears something on his feet that is valid for masḥ while not in a state of ṭahārah, and then he does ḥadath, and when he intends to make wuḍūʾ and completes it except for the washing of his feet, and is then overtaken by fear and cannot wash his feet after removing his khuffayn, then in that case he stands and does not wipe over them. Instead, he prays as he is, and his prayer is valid and complete. If afterward he becomes able to remove the khuffayn and finds water after having completed his prayer, his wuḍūʾ is complete, and he can continue praying with that wuḍūʾ as long as it is not invalidated by another ḥadath, not by merely finding water, that does not invalidate it in this case.

The decisive evidence of this is the saying of the Messenger of Allah ﷺ as mentioned before, "When I order you with something, do from it as much as you are able," and the statement of Allah ﷻ, "Allah does not burden a soul beyond its capacity." [al-Baqarah: 286]

So, when he was unable to wash his feet, the ruling regarding them is dropped, and what remains obligatory upon him is the wuḍūʾ of the rest of his limbs as much as he is capable. And since that is the case, then he has made wuḍūʾ as Allah ﷻ ordered him. And whoever makes wuḍūʾ as Allah has ordered, then his prayer is complete.

If it is said, "Why do you invalidate praying at the last time available without purification if there is no time for wudu or tayammum but allow an incomplete or no wudu at all here?"

We say: The first is able to do it and abstains from an obligation upon him, while the second is not burdened with what he was not able to do so however the second does it, it is valid for him, while the first disobeys and by his disobedience did not fulfill the condition of the prayer which is purification. And the second does nothing but good, and Allah said, "And there is not upon the doers of good way (for blame)." [al-Tawbah: 91]

The Qurʾān and Sunnah establish that he performed wuḍūʾ as he was ordered, his purification is complete, and he is permitted to pray. So, it is invalid to assign to him the ruling of ḥadath without a new ḥadath occurring, except if there is text that obligates that, in which case we submit to it. But in this case, there is no text obligating him to repeat the wuḍūʾ or to wash his feet. So, he is not obliged to repeat it and also not to wash his feet, as he is upon complete ṭahārah. Instead, he can continue praying with that wuḍūʾ as long as he does not nullify it with a new ḥadath, based on what we have mentioned.

Tayammum

Issue: From Among the Sick, Only the One Who Cannot Find Water Can Do Tayammum

Only the sick person can perform tayammum who does not find water, or for whom using water in wuḍūʾ or ghusl brings hardship or difficulty, or the traveler who does not find water that he can use for wuḍūʾ or ghusl.

The decisive evidence for this is the saying of Allah, the Exalted, "And if you are ill, or on a journey, or one of you comes from the place of relieving himself, or you have had contact with women, and you do not find water, then perform tayammum with clean earth and wipe your faces and hands with it. Allah does not intend to place hardship upon you, but He intends to purify you and complete His favour upon you that you may be grateful." [al-Māʾidah: 6]

This is the text of what we said, and a removal of hardship. And Allah, the Exalted, said, "Allah intends for you ease and does not intend for you hardship." [al-Baqarah: 185]

So hardship (ḥaraj) and difficulty (ʿusr) are both lifted and to Allah belongs all praise, whether his illness increases or not. And likewise, if he fears that his illness may increase, this is also ʿusr and ḥaraj.

Issue: The Ruling is the Same no Matter the Circumstance.

It is the same whether the travel is short or long, whether it is a travel of obedience, sin, or permissible. Some claimed, "Tayammum is only permitted during a travel in which the prayer can be shortened." And this is a saying free from any evidence.

Issue: What is Illness?

Illness (maraḍ) is everything that diverts a person from strength and (normal) function; this is the ruling of the language in which the Qurʾān was revealed. And success is from Allah.

Issue: A Healthy Person as a Resident Can Perform Tayammum if Unable to Use Water

A person who is healthy and a resident can perform tayammum if he cannot access water except after the time of prayer would exit even if he is standing at the edge of a well with the bucket in hand, or on the bank of a river, stream, or spring if he is certain that he will not complete wuḍūʾ or ghusl before the sun begins to rise, and likewise the one imprisoned or in fear.

The decisive evidence for this is what Ḥudhayfah narrated, "The Messenger of Allah ﷺ said: 'We were given superiority over

people in three things… And the earth was made for us as a masjid, and its soil was made pure for us when we do not find water.'"[428]

And Abū Hurayrah narrated that the Prophet ﷺ said, "I was given superiority over the Prophets in six ways: I was given concise speech, aided by fear, spoils of war were made ḥalāl for me, the earth was made a means of purification and a masjid for me, I was sent to all people, and Prophethood was sealed with me."[429]

This is general and includes the resident and the traveler.

If it is said, "But Allah, the Exalted, said, 'O you who have believed, do not approach the prayer while you are intoxicated until you know what you are saying, nor in a state of major impurity (junub), unless passing through [the mosque], until you have bathed.' [al-Nisāʾ: 43] And the Messenger of Allah ﷺ said, 'The prayer of one who invalidates his wuḍūʾ is not accepted until he performs wuḍūʾ.'[430] So the junub is not permitted to approach prayer until they perform ghusl or wuḍūʾ except if they are travellers."

We said: Yes, Allah the Exalted has said this, and the Messenger of Allah ﷺ has said what you mentioned. And Allah the Exalted said, "And if you are in a state of major impurity (junub), then purify yourselves. But if you are ill, or on a journey, or one of you has come from relieving himself, or you have touched women, and you do not find water — then perform tayammum with clean earth and wipe your faces and your hands from it." [al-Māʾidah: 6]

So this verse has an additional ruling and was revealed as a shar' not found in the verse you mentioned. Instead, in the verse you mentioned, it is permissible for the junub to approach the prayer without performing ghusl, and he is not a traveler, but he is sick and does not find water, or is in hardship. So this verse also is an added ruling. This is in addition to the ḥadīth whose wording is, "The prayer

[428] Ṣaḥīḥ Muslim 522, 4: Ṣaḥīḥ
[429] Ṣaḥīḥ Muslim 523, 5: Ṣaḥīḥ
[430] Ṣaḥīḥ al-Bukhārī 135: Ṣaḥīḥ

of one who has broken his wuḍūʾ is not accepted until he performs wuḍūʾ."

Then came the two ḥadīths we mentioned came with an addition and generality to the two āyāhs and the ḥadīth mentioned. So in these two authentic narrations is the resident who does not find water. The speech of Allah the Exalted and the speech of His Messenger ﷺ, it is obligatory to combine them, and all of it is from Allah the Exalted.

The prayer is an obligation to a specific time, and the emphasis on it is too great for any Muslim to be ignorant of it. The Messenger of Allah ﷺ said, "When I order you to do something, do of it what you are able."

So we find that the one upon whom the time of prayer has entered is ordered to perform wuḍūʾ, and to perform ghusl if he is junub, and then to pray. If he is unable to perform ghusl and wuḍūʾ, then they are lifted from him. And the Prophet ﷺ has explicitly stated that "The earth is a purifier (ṭahūr) if one does not find water and is unable to obtain it."

So he is not obliged to do it, but he is still able to pray, and the prayer remains obligatory upon him. This is clear, and all praise is due to Allah, the Lord of the Worlds.

Issue: The Travel for Which Tayammum is Permissible

The travel in which Tayammum is allowed is that which the Arabs refer to as Safar, whether it is the kind of travel in which the prayer is shortened or not. And whatever is less than that which is not called travel because it being merely exiting home is in the ruling of a resident (ḥāḍir). As for the one who is travelling a travel (safar) on which the name Safar occurs, and the sick person for whom Tayammum is allowed, then it is better for both of them to perform Tayammum at the beginning of the time, whether they expect to find water, or are certain

it will become available before the time exits, or they are sure that it will not be found until the time expires. And likewise, the same applies to hoping for recovery, and there is no difference. As for the healthy resident or the one who is under the ruling of a resident, then it is not permissible for him to do Tayammum except if he is certain that the time will end before water becomes accessible.

The decisive evidence for this is that the text has come about the traveler who does not find water, and to the sick person, and the one experiencing hardship. And hastening to the prayer is better, because of the saying of Allah the Exalted, "And hasten to forgiveness from your Lord" [Āl ʿImrān: 133]

As for the resident, there is no disagreement from anyone that as long as he hopes (can find) for the presence of water before the time ends, then Tayammum is not permissible for him and no text allows this.

As for those that oblige delaying tayammum because a person might find water has no meaning to it. These are views from which we praise Allah for being safe from, because there is no text that the prayer of the one who performed wuḍūʾ is better than the prayer of the one who did tayammum, and also not that the prayer of the one who did wuḍūʾ is more complete than that of the one who did tayammum. Both are complete forms of purification and complete prayers, and each one is obligatory in its proper condition. So as that is the case, then delaying the prayer in hope of finding water is leaving off what is better, which is hastening to the most virtuous of deeds without any valid reason. And something similar to this came from the Messenger of Allah ﷺ, and from Ibn ʿUmar and others.

Issue: When Water is Nearby, But He Fears Losing His Supplies or Missing the Group

Whoever has water near him, but fears the loss of his belongings, or missing his companions, or there is an unjust enemy or fire between him and the water, or any fear that causes hardship in reaching the water, then tayammum is obligatory upon him. The decisive evidence is the statement of Allah ﷻ, "Then if you do not find water, perform tayammum with clean earth." [al-Nisāʾ: 43] All these people are unable to access water for purification.

Issue: When Someone is at a Well He Can See During Travel But Fears Missing His Group

If someone is at a well he sees and recognizes during travel, but he fears missing his companions, or missing the congregational prayer, or the ending of the prayer time then he performs tayammum, and it suffices for him. But he must make wuḍūʾ for whatever prayer he performs afterwards, because all of this is an excuse preventing the use of water so, he is considered as one who does not find water he can use without hardship.

Issue: Water Was in his Luggage, But He Forgot, or There Was a Nearby Well He Was Unaware O.

Whoever had water in his luggage but forgot it, or there was a nearby well or spring he was unaware of, then performed tayammum and prayed his prayer is valid. Because in both cases, he is someone that does not find water. And whoever does not find water, must perform tayammum, by the saying of Allah ﷻ.

Issue: Every Invalidator of Wuḍūʾ Invalidates Tayammum

Every act that invalidates wuḍūʾ also invalidates tayammum; both of them are the same purification without difference. This is a matter about which there is no disagreement among any of the people of Islām.

Issue: Tayammum is Invalidated by the Presence of Water

Tayammum is also invalidated by the presence of water, whether one finds it during the ṣalāh, after completing the ṣalāh, or before beginning the ṣalāh. The prayer he is in at that moment becomes invalid because his purification has been nullified, and he must then perform wuḍūʾ or ghusl, and start the prayer over. But he must not make up the prayers he previously performed using tayammum.

One of the arguments of those who say that there is no need to renew wuḍūʾ or ghusl is that they say: "Tayammum is a valid purification. So, as long as that is the case, it should not be nullified except by what nullifies the other forms of purification, and the mere presence of water is not an invalidating act (ḥadath). So the presence of water does not invalidate the state of ṭahārah achieved through tayammum."

This would have been correct if it would not be what Abū Rajāʾ al-ʿAṭāridī from ʿImrān ibn al-Ḥuṣayn narrated, "We were with the Messenger of Allah ﷺ on a journey… The Messenger of Allah ﷺ prayed with the people. Then, after finishing his prayer, he noticed a man who had isolated himself and had not prayed with the congregation. He said: 'So-and-so, what prevented you from praying with the people?' The man replied: 'I was in a state of janābah and could not find water.' The Prophet ﷺ said: 'Use ṣaʿīd (earth), for

indeed it is sufficient for you.'"[431] Then, within the same ḥadīth, he mentioned the case where Allah ﷻ miraculously provided water for His Prophet ﷺ, saying, "And the final part of that was that the Prophet ﷺ gave the man who had been in janābah a vessel of water and said: 'Go and pour it over yourself.'"

We have also mentioned the ḥadīth of Ḥudhayfah from the Messenger of Allah ﷺ, "The earth has been made a masjid for us, and its soil has been made a means of purification (ṭahūr) when water is not found."[432]

So these establish that purification through soil is only valid when water is not present. This wording indicates that it is not permissible to purify oneself with soil except if water is not available.

It also requires that purification with soil is not valid except if he does not find water except in cases where there is another text permitting it. As that is the case, it is not allowed to accept one of the two meanings while excluding the other. The obligation is instead to act on both together.

This is also validated by the Prophet's ﷺ order to the one in janābah to perform tayammum and pray, and then when water was later found, he ordered him to perform ghusl. So what we said is established by text.

Issue: If Water is Found After Prayer, Must It Be Repeated or Not?

If the water is found during the prayer, it is invalidated. As for when it is found immediately after the prayer, then the prayer is valid.

Sulaymān ibn Yasār, the mawla of Maymūnah narrated, "I came to Ibn ʿUmar at al-Balāṭ while they were praying, and he said: 'I

[431] Ṣaḥīḥ al-Bukhārī 344: Ṣaḥīḥ
[432] Ṣaḥīḥ Muslim 522: Ṣaḥīḥ

heard the Messenger of Allah ﷺ say: 'Do not perform a prayer twice in one day.'"[433]

So the order to repeat the prayer is omitted entirely and all praise is due to Allah, Lord of the worlds and that is if he performs it as he is ordered which is when he does not find water.

Those who differentiate between finding water during the prayer and finding it after the prayer argue saying, "He has entered the prayer as he was ordered, so he may not invalidate it except by a text."

They have no argument other than this and they cannot cling to it. Because even if he entered the prayer as Allah ﷻ ordered, then finding water does not cease to either invalidate the purification and to repeat it as the ruling of ḥadath or janābah, or it does not invalidate the purification and also not oblige him to repeat it, and it is not in the ruling of ḥadath or janābah.

And if they say: "It does not invalidate the purification, nor does it return him to a state of janābah or ḥadath."

We say you affirm that with this finding of water, it becomes obligatory for him to perform ghusl or wuḍūʾ as soon as he finds the water with no disagreement from your side. So with your own acknowledgment to this, we say to you: He is ordered with that at the moment he finds water whether in prayer or outside of prayer by hastening to what is ordered.

And if they say, "He is not ordered with that during prayer due to being occupied by it."

We say: This is a distinction without any evidence, a mere claim. So, as he is ordered with that inside and outside prayer, then it is established that your order for him to continue without using the water is false since according to your own principles, his prayer is not invalidated by that finding.

So what is implied upon your uṣūl is that he must use the water and continue the prayer from where he left off just as you say regarding

[433] Sunan Abī Dāwud 579: Ṣaḥīḥ

the one who breaks wuḍūʾ and continues and there is no difference. But they do not say this, so their position collapses.

The Prophet ﷺ said, "Indeed, the earth is a purifier as long as water is not found," as mentioned before.

So it is established that no purification that is done with earth is valid when water is present except for one whom the text permits, like the sick person for whom using water causes harm.

So it is established that the purification of the one doing tayammum becomes invalid if water is found whether during prayer or outside it. And the prayers that preceded were done in a valid manner so they must not be repeated as the Prophet ﷺ ordered.

Issue: A Sick Person Permitted Tayammum Even in the Presence of Water

As for the sick person who is allowed to perform tayammum even when water is present, unlike what we previously mentioned regarding the healthy person, then his recovery does not invalidate his purification.

The decisive evidence of this is that the ḥadīth we follow only applies to the one who does not find water; he is the one whose purification becomes invalid when water is found.

But as for the one whom Allah ﷻ ordered to perform tayammum and pray even though water is present, then the presence of water does not invalidate his purification, and it is valid with certainty despite water being available.

As that is the case, and since being healthy is not itself a state of ḥadath, and there is no evidence in the Qurʾān or Sunnah that health is a form of ḥadath.

Issue: The One with Tayammum Can Pray as Many Prayers as They Want

The person who has performed tayammum can pray with it as many prayers as they wish, obligatory and voluntary, as long as their tayammum is not invalidated, either by a new ḥadath or by the presence of water.

As for the sick person, his tayammum is not invalidated except by that which invalidates purification from ḥadath, and not by the presence of water.

Allah ﷻ says, "Then perform tayammum with clean earth, and wipe your faces and your hands with it. Allah does not wish to place hardship upon you, but He wishes to purify you." [al-Māʾidah: 6]

So, Allah ﷻ said that tayammum is a purification from Him.

Some claim, "If he does tayammum, then it is obligatory for every prayer, and one tayammum does not suffice for multiple prayers. Allah ﷻ said: 'O you who believe! When you rise for prayer, wash your faces and hands… then perform tayammum with clean earth.' [al-Māʾidah: 6] So Allah obligated wuḍūʾ upon every person rising for prayer. So when the Prophet ﷺ prayed multiple prayers with one wuḍūʾ, then the ruling of wuḍūʾ departed from the obligation of it for every prayer, but tayammum remains in it, obligatory for every prayer."

We say: The verse does not oblige what you claim, and if it had, then it would oblige ghusl from janābah for every person standing for prayer, forever. The ruling of the verse is only in obliging wuḍūʾ, tayammum, and ghusl, only to those who are in a state of janābah or ḥadath, by the text in the end of the verse clarifying the beginning, "If you are in a state of janābah, then purify yourselves; and if you are sick or on a journey, or one of you comes from the toilet or you have touched women and cannot find water, then perform tayammum with clean earth." [al-Māʾidah: 6] No two people in this Ummah differ that there is a hadhf in the verse indicated by the grammatical construction

and the meaning is, “If you are sick or on a journey, and you experience ḥadath,” and so what they tumult is false.

Instead even if someone said, “The ruling of renewing purification upon standing for prayer, according to the verse, applies only to those whose state requires wuḍūʾ, not those whose state requires tayammum,” then that saying would be more correct based on the apparent meaning of the verse than what they claim.

Because Allah ﷻ never ordered tayammum in the verse except for someone in a state of ḥadath not for every person rising for prayer. They cannot escape from this at all.

So their claim that the verse obliges renewing tayammum for every prayer is invalid, and the verse becomes obliging our saying and invalidates tayammum except in a state of ḥadath, and that tayammum is a valid and complete purification by the text of the verse.

So, as the verse obliges this, it is established that anyone can perform all the obligatory prayers of the day and night and more than that and also voluntary prayers, with one tayammum, as long as they do not enter a state of ḥadath, or janābah, or find water all based on the verse itself. And all praise is due to Allah, Lord of the worlds.

Issue: Tayammum is Permissible Both Before and During the Prayer Time

Tayammum is permissible both before the beginning of the prayer time and within it, for whoever wishes to pray either a nāfilah or a farḍ, just like wuḍūʾ, with no difference between them. This is because Allah ﷻ ordered wuḍūʾ, ghusl, and tayammum upon standing for prayer, and did not say, “for obligatory prayer only excluding the supererogatory one.” So, every person who intends to pray must purify himself for it: with ghusl if he is in a state of janābah, or with wuḍūʾ or tayammum if he is in a state of ḥadath. As that is the case, there must be a time gap between his purification and the prayer. And as otherwise is not

possible, whoever sets a specific time limit for that gap is invalidating the ruling, for he is making a claim that is not established by the Qurʾān, and also not the Sunnah. So as it is as we mentioned, the purification does not become invalid with wuḍūʾ or tayammum by the length of the interval and also not its shortness, this is of the clearest clarity. And all praise is due to Allah, Lord of the Worlds.

Issue: A Person Had Water in His Baggage But Forgot It, so He Performed Tayammum and Prayed.

Whoever had water in his pack and forgot it, then performed tayammum and prayed, his prayer is valid and complete, because the one who forgets is the one who has not found water. And with Allah ﷻ is success.

Issue: He is On The Sea While the Ship is Sailing and Wants to Pray

Whoever is at sea and the ship is sailing, if he is able to access the seawater and purify himself with it, nothing else suffices. But if he is unable to take from it, he performs tayammum and that suffices him. And seawater is unrestricted water (māʾ muṭlaq). So if he is unable to extract water from it, then he is the one that does not find water which he can use for purification and tayammum becomes obligatory upon him.

Issue: He Only Finds Water From Which He Fears Harm to Himself

Likewise, whoever is traveling or residing, healthy or ill, and he finds only water that he fears will lead to death or illness, and he cannot heat it up except after the time for prayer has ended, then he performs tayammum and prays, because he is someone that cannot find water he can purify himself with.

Issue: The One Who Has No Water is Not Obligated to Buy it For Wuḍūʾ or Ghusl

Whoever does not have water with him is not obligated to buy it for wuḍūʾ or ghusl, whether it is cheap or expensive. And if he does buy it, his wuḍūʾ or ghusl is not valid, and his obligation remains tayammum. He can purchase it for drinking, if it is not given to him for free. He can also seek it for wuḍūʾ that is permissible for him but not obligatory. And if it is gifted to him, he must use it to perform wuḍūʾ, and nothing else suffices.

The decisive evidence for this is the prohibition of the Messenger of Allah ﷺ from selling water.

Abū Hurayrah narrated, "The Messenger of Allah ﷺ said: 'Do not sell surplus water to sell the pasture.'"[434]

Abū al-Minhāl narrated that Iyās ibn ʿAbd said to a man, "Do not sell water, for I heard the Messenger of Allah ﷺ prohibit the sale of water."[435]

And it has also been narrated as musnad through Jābir. These are four Companions, so the transmission is mutawātir, and it is not

[434] Ṣaḥīḥ Muslim 1566, 38: Ṣaḥīḥ
[435] Sunan Abī Dāwud 3478: Ṣaḥīḥ

permissible to oppose it. I have clarified the prohibition of selling water in detail in the Book of Sales. And all praise is due to Allah.

So, as the Messenger of Allah ﷺ prohibited its sale, then its sale is ḥarām. And as that is the case, then taking it through sale is taking by falsehood, and as it is taken with falsehood he does not own it, and as he does not own it he is not allowed to use it. Allah ﷻ says, "And do not consume one another's wealth unjustly." [al-Baqarah: 188]

And the statement of the Messenger of Allah ﷺ, "Indeed, your blood and your wealth are ḥarām upon you."[436]

So if water is not found except by prohibited means, usurpation or a prohibited sale then he is not someone that found water. And when he does not find water, then tayammum becomes obligatory.

As for his purchasing water for drinking, then he is compelled to do that, and the price is ḥarām upon the seller, because he took it without right. And preventing access to excess water is prohibited for him.

As for asking to gift water, it is permissible as neither an obligation nor a prohibition came for that, so it is permissible.

He said ﷺ, "Leave me as long as I leave you; and when I order you anything, do from it what you can, and when I prohibit you anything, then leave it."[437]

So, if he owns water through a gift, then it is rightfully his, and he is obliged to use it for purification. And Allah ﷻ is the source of success.

[436] Ṣaḥīḥ al-Bukhārī 6043: Ṣaḥīḥ

[437] Ṣaḥīḥ Muslim 1337, 412: Ṣaḥīḥ

Issue: He Has Only a Little Water Sufficient for Drinking, and He Wants to Pray

If someone has a little water, enough only for drinking, then his obligation is tayammum, by Allah's saying, "And do not kill yourselves." [al-Nisāʾ: 29]

Issue: He Has a Little Water Enough for Wuḍūʾ and He is in a State of Janābah.

If someone has just enough water for wuḍūʾ and he is in a state of janābah, he can perform tayammum for janābah, and then perform wuḍūʾ with the water. He does not care which he performs first, and nothing else suffices, because they are two different obligations. As he is capable of fulfilling one completely with water, only that one suffices. And he must then perform the other using tayammum, as ordered.

Issue: If a Small Amount Remains After Using The Water on Some Limbs, and He Cannot Wash All Parts With It

If a small quantity remains and he uses it on some parts but cannot wash the rest with it, then his obligation is to wash what he can and perform tayammum for the remaining.

And al-Shāfiʿī said: "He may wash whichever limbs he wishes with it, and then perform tayammum."

This is false because he is not incapable of reaching his other limbs by any way of prevention. Instead, he is incapable of purifying them with the water he is ordered to purify with. Whoever is in this state, then the obligation upon him is tayammum, without a doubt as

Allah ﷻ has substituted ṣaʿīd (earth) in place of water when it is not found.

The Messenger of Allah ﷺ said: "When I order you with anything, then do of it what you are able," as mentioned before**.** And this person is able to carry out part of his wuḍūʾ or part of his ghusl, but is unable to complete the remaining. So, it is obligatory upon him to perform from wash what he is able to at the beginning, starting with the beginning parts of the wuḍūʾ limbs or ghusl limbs, as far as the water reaches. Once the water is empty, he must perform tayammum for the remaining limbs, because he does not possess water for their purification. So it becomes obligatory for him to substitute soil (ṭurāb) as Allah ﷻ ordered.

If some of his limbs are missing, or he is unable to let water touch them due to a wound or a fracture whether those limbs are few or many the ruling for them falls away. It suffices him to wash what remains, because he is one who possesses water, but is incapable of purifying certain limbs. And he is not among ahl al-tayammum, because of his possession of water. What he is incapable of is lifted from him, due to the saying of Allah ﷻ, "Allah does not burden a soul beyond its capacity." [al-Baqarah 2:286] And with Allah ﷻ is success.

Issue: Someone in a State of Janābah With No Water At All

Whoever is junub and has no water must perform two tayammums intending one for purifying janābah and the other for wuḍūʾ. He does not care about their order.

The decisive evidence for that is that they are two different acts. No single act suffices for both except if a text permits it. And a text has come that washing the limbs of wuḍūʾ suffices and also for ghusl if it is in the manner we clarified before; this is specifically for janābah.

But no text establishes that a single tayammum suffices for both janābah and wuḍūʾ.

And likewise, if a woman who became junub, then later menstruated, then became pure on Friday while traveling and has no water, she must perform four tayammums: one for menstruation, one for janābah, one for wuḍūʾ, and one for the day of Friday. If she purifies the deceased (washed a corpse), a fifth tayammum is obligatory.

Issue: He Is Imprisoned or Crucified, Unable to Find Earth or Water, and The Prayer Time Arrives

If someone is imprisoned, or traveling, where he finds neither earth nor water, or is crucified, and prayer time arrives, he must pray in the state he is in, and his prayer is valid and complete, and he must repeat it even if he finds water later or not within the time.

The decisive evidence is Allah's saying, "Fear Allah as much as you are able. [al-Ṭaghabun: 16]

And Allah said, "Allāh does not burden a soul beyond its capacity."

And Allah said, "He has explained the prohibitions to you, except what you are compelled to do." [al-Anʿām: 119]

And the Prophet ﷺ said: "When I order you concerning something, do what you can."

So, by these texts, it is established that we are obliged to nothing in the Sharīʿah except what we are able to do, and that whatever we are incapable of is lifted from us. And it is also affirmed that Allah ﷻ has prohibited us from abandoning wuḍūʾ or tayammum for prayer, except when we are compelled.

So the one prevented from access to water and earth is compelled to perform what has been prohibited for him, abandoning purification by water or earth, so the prohibition does not apply to him. And he is able to pray while fulfilling its rulings, so what he is capable

of remains binding upon him. So if he prays in the manner we have described, he has prayed as Allah ﷻ has ordered. And whoever prays as Allah ﷻ has ordered, then nothing is against him. And hastening to perform the prayer at the beginning of its time is better, for the reasons we have already mentioned.

Allah ﷻ said, "And do not nullify your deeds." [Muḥammad: 33]

As for those who say, "He must not pray at all."

They argue by the statement of the Messenger of Allah ﷺ, "The prayer of one who breaks his wuḍūʾ is not accepted until he performs wuḍūʾ."[438]

And by his saying ﷺ, "Allah does not accept a prayer without purification."[439]

They say, "So we do not order him to perform something that Allah ﷻ does not accept from him, as at the time of the prayer he is neither in a state of wuḍūʾ nor ṭahārah, and once the time has passed, it is prohibited for him to delay the prayer beyond its time.

This would have been the most correct of sayings, if it would not be for what we have mentioned earlier that the Prophet ﷺ has lifted from us what we are incapable of fulfilling from what he ordered us, and he has kept obligatory upon us what we are capable of. And Allah ﷻ has also lifted from us what we are unable to do, and has kept obligatory binding upon us what we are able to do, as He said, "So fear Allah as much as you are able." [at-Taghābun: 16]

So it is established that his saying ﷺ, "The prayer of one who breaks his wuḍūʾ is not accepted until he performs wuḍūʾ," and, "Allah does not accept a prayer except with purification," is an order directed only at the one who is able to perform wuḍūʾ or purification through the availability of water or earth not at the one who is unable to perform either wuḍūʾ or tayammum. This is the wording of the Qurʾān and Sunnah.

---

[438] Ṣaḥīḥ al-Bukhārī 135, 6954: Ṣaḥīḥ

[439] Ṣaḥīḥ Muslim 224

So as this is established, the burden of what we are incapable of is lifted from us, and the obligation of what we are capable of remains, which is the prayer. So the one who prays under these conditions fulfills what he is ordered with, and whoever fulfills what he is ordered with, then no qaḍāʾ (make-up) is obligatory upon him. And with Allah ﷻ is success.

Then how when ʿĀʾishah narrated, "The Messenger of Allah ﷺ sent Usayd ibn al-Ḥuḍayr and some others with him to look for a necklace that ʿĀʾishah had lost. The time for prayer arrived, so they prayed without wuḍūʾ. They then came to the Prophet ﷺ and informed him of what had happened. So the āyah of tayammum was revealed."[440]

So this is Usayd and a group of the Companions, acting in accordance with the ruling of Allah ﷻ and with the approval of His Prophet ﷺ. And with Allah ﷻ is success.

Issue: The One Who is Traveling or Sick and Has No Water With Him

Whoever is on a journey and has no water with him, or is sick and finds it difficult to use water, it is permissible for him to kiss his wife and have intercourse with her. There is no hujjah at all for the one who prohibits that, because Allah ﷻ has made our wives a ḥarth (cultivation ground) and libās (a garment) for us, and He ordered us to have intercourse with our wives and the women whom our right hands possess, to the extent that He obligated upon the one who takes an oath not to approach his wife either to have intercourse with her within a fixed period or to divorce her. Allah ﷻ made the ruling for the one who has intercourse and the one who passes ḥadath to perform ghusl or wuḍūʾ if he finds water, and to perform tayammum if he does not find

[440] Ṣaḥīḥ al-Bukhārī 3773: Ṣaḥīḥ

water. Neither of these two acts is superior to the other. One is not more purifying than the other, nor does one lead to a more complete prayer. It is then established that each of them has its own ruling. So, there is no basis at all for preventing one whose ruling is tayammum from intercourse, just as there is no reason to prevent one whose ruling is ghusl from intercourse. All of these matters are equal in the revealed texts, none of them is a foundational ruling and the other a branch. They are instead equal in the Qurʾān. And with Allah ﷻ is success.

Issue: The One Who Performs Tayammum Leading Those Who Performed Wuḍūʾ, and Otherwise

It is permissible for one who has performed tayammum to lead those who performed wuḍūʾ, and for the one who performed wuḍūʾ to lead those who performed tayammum, and for one who wiped over the what is worn on the feet to lead those who washed their feet, and also the other way. Because each of those mentioned has fulfilled his obligation, and none of them is purer than the other, nor is anyone's prayer more complete than the other's. The Messenger of Allah ﷺ ordered that when the time for prayer comes, the one who is most proficient in reciting the Qurʾān must lead them. He ﷺ did not make any difference beyond that. If there were any other obligation besides what he mentioned, he ﷺ would have clarified it and not neglected it. Far is Allah from such a thing. The prohibition or disapproval of this has no basis in the Qurʾān, and also not in the Sunnah. The difference made by those who divide is not supported by any evidence. And with Allah ﷻ is success.

Issue: The Junub, Menstruating Woman, and Anyone Obligated to Perform Ghusl Can Perform Tayammum

A person in a state of janābah, a menstruating woman, and anyone upon whom obligatory ghusl is obligatory can perform tayammum just as one who has hadath. There is no difference.

ʿAbdullāh ibn Masʿūd said: "If the junub does not find water, then he does not pray."

Those who go with the saying of Ibn Masʿūd mention the verse of Allah ﷻ,"And if you are in a state of janābah, then purify yourselves." [al-Māʾidah: 6]

They say, "This verse does not prescribe anything but ghusl for the junub."

We say: The Messenger of Allah ﷺ is the one appointed by Allah to clarify His rulings. Allah ﷻ said,"That you may make clear to the people what was revealed to them." [al-Naḥl: 44]

And He ﷻ said, "Whoever obeys the Messenger has obeyed Allah." [al-Nisāʾ: 80]

And He ﷻ said, "He does not speak from desire. It is nothing but revelation revealed." [al-Najm: 3–4]

And the Prophet ﷺ clarified that the ruling for the junub is tayammum when water is not available.

ʿImrān ibn al-Ḥuṣayn narrated, "We were with the Messenger of Allah ﷺ...and the Prophet ﷺ led the people in prayer, and when he finished his prayer, he saw a man who had isolated himself and did not pray with the group. So he ﷺ said: 'What prevented you from praying with the people?' He replied: 'I was afflicted with janābah and had no water.' So he ﷺ said: 'Use the ṣaʿīd (earth), for it is sufficient for you.'"[441]

If they mention the ḥadīth we narrated from Ṭāriq ibn Shihāb, "A man came to the Messenger of Allah ﷺ and said: 'O Messenger of

[441] Ṣaḥīḥ al-Bukhārī 344: Ṣaḥīḥ

Allah, I became junub and did not pray.' He ﷺ replied: 'You did good.' Then another man came and said: 'I became junub, then performed tayammum and prayed.' He ﷺ replied: 'You did good.'"[442]

We say: This is weak, Ṭāriq is not a ṣaḥābī.

And even if it would be authentic, then it is as we say: The one who became junub did not pray. He was not yet obligated to perform tayammum, so he was correct in not praying out of ignorance. Obligations only become obligatory after they reach them and after maturity.

Allah ﷻ said, "That I may warn you with it, and whomever it reaches." [al-Anʿām: 19]

And the one who performed tayammum knew of its obligation and acted upon it. It is not possible that it be otherwise: Either tayammum is obligatory for the junub when water is unavailable, in which case the one who failed to perform it is mistaken, or tayammum is not obligatory for the junub, in which case the one who did perform it is mistaken.

But it has been established that it is obligatory for him based on the narration of ʿImrān ibn al-Ḥuṣayn from the Prophet as mentioned. So it is established that one of the two men did not know the ruling, and the other did and acted accordingly. And with Allah ﷻ is success.

As for the menstruating woman and everyone upon whom ghusl is obligatory, we have already mentioned the statement of the Messenger of Allah ﷺ, "The earth has been made a masjid and its soil a purifier for us, when we do not find water."[443]

So everyone who is ordered to purify themselves when unable to find water is included under the general wording of this narration, "Its soil is a purifier." And with Allah ﷻ is success.

---

[442] Al-Mujtaba 124: Ḍaʿīf

[443] Ṣaḥīḥ Muslim 521, 522: Ṣaḥīḥ

Issue: The Description of Tayammum for Janābah, Ḥayḍ, Every Wājib Ghusl, and Wuḍūʾ

The description of tayammum for janābah, ḥayḍ, any obligatory ghusl, and for wuḍūʾ is the same; it is all one action. What is obligatory in all of these is to intend the reason for which tayammum is being performed, whether it is purification for ṣalāh, janābah, intimacy, purification from menstruation or postnatal bleeding, for Jumuʿah, or for washing a deceased person. Then he strikes the earth with both palms, immediately connected with that intention, then blows into them and wipes his face and the backs of his hands up to the wrists with one strike only. He is not obligated to wipe the entire face or both hands, nor does he wipe the arms, head, legs, or any other body part during tayammum.

As for the niyyah, we have already clarified its obligation previously.

As for the manner of tayammum being the same for janābah, ḥayḍ, nifās, and all other mentioned cases as one method for removing hadath, there is no difference in this; the clarification of this has preceded, it is a purification in general.

As for the wiping of the head, legs, or any other body parts in tayammum not being obligatory. No text has obliged more than what is mentioned. There is also no difference in this except for one thing that ʿAmmār ibn Yāsir did during the lifetime of the Messenger of Allah ﷺ, but the Prophet ﷺ prohibited him from doing that.

Some have said tayammum must be two strikes.

And others said the face and hands must be fully covered.

And others said the arms up to the armpits must be wiped; and others said up to the elbows.

As for those who said, “Tayammum is two strikes: one for the face, and one for the hands and arms up to the elbows,” they used the ḥadīth of Abū Umāmah al-Bāhilī from the Messenger of Allah ﷺ,

where he said about tayammum, "Two strikes, one for the face and another for the arms."[444]

This is weak because of the weakness of Muḥammad ibn ʿAmr al-Yāfiʾī and because of the jahālah of his shaykh whom he did not name, and Jaʿfar ibn al-Zubayr al-Ḥanafī al-Bāhilī is matrūk and al-Qāsim ibn ʿAbd al-Raḥmān is weak.

And also the ḥadīth of ʿAmmār that the Messenger of Allah ﷺ said, "Up to the elbows."[445]

This is weak because of the jahālah of the shaykh of Qatādah; it is not known who he is.

And the ḥadīth from Ibn ʿUmar, who said, "A man greeted the Messenger of Allah ﷺ in one of the alleys. He ﷺ did not respond, then he struck his hands on a wall, wiped his face with them, then struck again and wiped his arms. Then he returned the greeting and said: 'Nothing stopped me from replying except that I was not in a state of purity.'"[446]

This is weak because of the weakness of Muḥammad ibn Thābit al-ʿAbdī.

And also the ḥadīth of al-Aslaʿ, a man from Banū al-Aʿraj ibn Kaʿb, who said, "I said: 'O Messenger of Allah, I was overtaken by janābah.' He ﷺ stayed silent until Jibrīl came to him with ṣaʿīd (earth), and said: 'Get up, O Aslaʿ, and ride.' Then the Messenger of Allah ﷺ taught me tayammum: He struck the ground with both palms, then shook them off, and wiped his face including over his beard. Then he struck the ground again, rubbed one hand against the other, then wiped both his arms, the outer and inner parts."[447]

This is weak because of al-Rabīʾ ibn Badr ʿUlayla he is matrūk.

---

[444] Al-Kabīr of al-Ṭabarānī 7959, 8/245: Ḍaʿīf

[445] Sunan Abī Dāwud 328: Ḍaʿīf

[446] Sunan Abī Dāwud 330: Ḍaʿīf

[447] Al-Kabīr of al-Ṭabarānī 876, 1/298: Ḍaʿīf

Also, from the ḥadīth of Abū Dharr, who said, “The Messenger of Allah ﷺ placed his hands on the earth, shook them off, then wiped his face and his hands up to the elbows.”[448]

This is weak because of the unknown, unnamed man speaking about Abū Dharr, and in that narration, there is only one strike.

And also a ḥadīth from Ibn ʿUmar from the Prophet ﷺ regarding tayammum, “A strike for the face and a strike for the hands up to the elbows.”[449]

This is weak because Sulaymān ibn Arqam and Sulaymān ibn Abī Dāwud al-Ḥarrānī are weak.

And from al-Wāqidī, that the Messenger of Allah ﷺ said, “Tayammum is a strike for the face and a strike for the hands up to the elbows.”

This is weak as it is mursal, as you can see, and al-Wāqidī is described as a liar. So every single narration they cling onto attributed to the Prophet falls apart.

As for their claim that tayammum is a substitute for wuḍūʾ, it is said to them: So what? And what obliges that the substitute must take the same form as what it replaces?

And if you say that, then you yourselves are the first to contradict this rule that you claim to be correct: you invalidated the obligation of wiping the head and the feet in tayammum, while they are obligatory in wuḍūʾ.

And you invalidated the obligation of washing the whole body in tayammum for janābah, while it is obligatory in ghusl. And you oblige that water be conveyed to the limbs in wuḍūʾ, but do not oblige any soil to be conveyed to the face and arms in tayammum. So then, where did you find in the Qur’ān, or the Sunnah that a substitute must always take the same form as the original it replaces? This is nothing but a false and baseless claim?

---

[448] Al-Muṣannaf of ʿAbd al-Razzāq 916, 1/239: Ḍaʿīf

[449] Al-Sunan of al-Dāraquṭnī 690, 1/234: Ḍaʿīf

We find that freeing a slave is obligatory in: ẓihār, the expiation of an oath, the expiation for unintentional killing, and the expiation for a man who intentionally has intercourse during the day in Ramaḍān while fasting.

Then Allah replaced the obligation of freeing a slave in some of these cases with: fasting three days in the case of oath expiation, fasting two consecutive months for unintentional killing, ẓihār, and intercourse in Ramaḍān, and He replaced it with feeding the poor in the case of ẓihār and intercourse, but did not replace it with feeding in the case of killing.

Some people said that tayammum consists of two strikes, one for the face and one for the hands only.

They argued based on a ḥadīth from ʿĀʾishah, that she said, "The verse of tayammum was revealed, and the Messenger of Allah ﷺ struck the earth once and wiped his face with it, then struck the ground again and wiped his hands with it."[450]

This is weak al-Ḥarīsh ibn al-Khirrit is weak.

And another ḥadīth narrated from ibn ʿUmar, from the Messenger of Allah ﷺ, "A strike for the face and a strike for the hands."

This is weak because of the weakness of Sulaymān ibn Dāwūd al-Ḥarrānī, and those who said that tayammum extends up to the shoulders. They cling unto a narration from ʿAmmār ibn Yāsir who said, "We performed tayammum with the Messenger of Allah ﷺ, and we wiped our faces and our hands up to the shoulders."[451]

And it is narrated from ʿAmmār ibn Yāsir who mentioned the revelation of the verse of tayammum and said: "The Muslims stood with the Messenger of Allah ﷺ, struck their hands upon the earth, then lifted their hands without taking any dust from it, and wiped their faces and their hands up to the shoulders, and from the insides of their hands to the armpits."[452]

---

[450] Musnad al-Bazzār 240, 18/228: Ḍaʿīf

[451] Al-Mujtaba 315: Ḍaʿīf

[452] Sunan Abī Dāwud 320

This narration is not an evidence for that because there is not in it clarification that he ordered that for it to become the ruling of tayammum and its obligation. And there is also not in it that he knew of it and approved it, for it to become a recommended act. There is no hujjah in the actions of anyone other than the Messenger of Allah ﷺ.

People have differed, as we have mentioned and it is then it is then obligatory to return only to what Allah has ordered us to return to: the Qurʾān and the Sunnah. So we did that and find that Allah ﷻ says, "Then perform tayammum with clean earth and wipe your faces and your hands with it." [al-Māʾidah: 6]

Allah ﷻ did not specify anything beyond the hands. And we are certain that if Allah ﷻ intended for the wiping to extend to the elbows, or to include the head and feet, He would have clarified that and say it as He did in wuḍūʾ. And if He intended the entire body, He would have made that clear as He did in ghusl.

As He only mentioned the face and hands, it is not permissible for anyone to add to this what Allah ﷻ did not mention such as forearms, head, feet, or rest of the body. Only the face and the hands are obligatory in tayammum, and these are the least upon which the word 'hands (yadayn).' We also find that the authentic Sunnah has come with this, not fabricated lies.

As narrated by ʿAmmār ibn Yāsir to ʿUmar ibn al-Khaṭṭāb, "I rolled on the ground (in dust), then came to the Messenger of Allah ﷺ and he said: 'It would have sufficed you to wipe your face and hands.'"[453]

It was also narrated from Shaqīq ibn Salamah, who said, "I was sitting with ʿAbdullāh ibn Masʿūd and Abū Mūsā al-Ashʿarī, and the ḥadīth was mentioned, in which Abū Mūsā said to ibn Masʿūd: 'Did you not hear the statement of ʿAmmār: 'The Messenger of Allah ﷺ sent me on an errand and I became junub, and I could not find water, so I rolled in the dust like an animal rolls, then I came to the Messenger of

[453] Ṣaḥīḥ al-Bukhārī 3471: Ṣaḥīḥ

Allah ﷺ and mentioned it to him, and he said: 'It would have sufficed you to do like this with your hands, then he struck the earth once with his hands, then wiped the left hand over the right, and the backs of his hands and his face?'"'"[454]

And ʿAbd al-Raḥmān ibn Abzā narrated, "A man came to ʿUmar ibn al-Khaṭṭāb and said: 'I became in a state of janābah and did not find any water.' ʿUmar said: 'Do not pray.' ʿAmmār said: "Do you not remember, O Amīr al-Muʾminīn, when you and I were in a military expedition and we both became in a state of janābah and did not find water? As for you, you did not pray, and as for me, I rolled myself in the dust and prayed. Then the Messenger of Allah ﷺ said: 'It would have been enough for you to strike the ground with your hands, then blow off the dust, then wipe your face and hands with them.'"[455]

There is in this ḥadīth the invalidation of qiyās because ʿAmmār assumed that the unmentioned ruling of tayammum for janābah would be the same as ghusl for janābah, as tayammum is a substitute for it. But the Messenger of Allah ﷺ nullified that assumption and informed him that everything has its own ruling by texts. The entire clarification of this narration indicating the falsehood of qiyas is clarified in another place. And there is also in this ḥadīth that a companion can err and forget, and within it is the clear text for the ruling of tayammum.

As for the narration Abū Juhaym narrated, "The Messenger of Allah ﷺ came from the direction of the well of Jamal, and a man met him and greeted him with salām. But the Prophet ﷺ did not return the salām until he went to a wall, wiped his face and hands, and then returned the salām."[456]

This is weak as ʿUmayr mawla ibn ʿAbbās is majhūl.

As for requiring to completely wipe the face and hands during tayammum, no hujjah is known for whoever obliges it at all.

---

[454] Ṣaḥīḥ Muslim 368, 110: Ṣaḥīḥ

[455] Ṣaḥīḥ Muslim 368, 112 Ṣaḥīḥ

[456] Ṣaḥīḥ al-Bukhārī 337: Ḍaʿīf

Allah ﷻ said, “In a clear Arabic language” [al-Shuʿarāʾ: 195].

And He ﷻ said, “We did not send any messenger except with the language of his people so he may make it clear to them” [Ibrāhīm: 4].

And the word ‘wiping (masḥ)’ in the Arabic language does not require complete coverage (istiʿāb).

So not transgressing this is obligatory, and there is no Qurʾān and Sunnah that require complete wiping in tayammum.

What is astonishing is that the word ‘wiping (masḥ)’ occurs in the Sharīʿah in only four places, and no more: Wiping the head (in wuḍūʾ), wiping the face and hands (in tayammum), wiping over what is worn on the feet and what is worn on the head, wiping the Black Stone.

And none of our opponents, who disagree with us, differ that wiping over the socks and wiping the Black Stone do not require complete coverage. And those among them who allow wiping over the turban or veil also do not require complete wiping. Yet, they contradict this in tayammum by obliging complete wiping without evidence. And with Allah is all success.

Issue: If a Deceased Person Lacks Water

If the deceased person does not have access to water, then tayammum is performed for him just as a living person would perform tayammum, because his washing is an obligation. And we have mentioned from the Prophet ﷺ that soil is a purifier (ṭahūr) when water cannot be found and this applies in general to all required forms of purification. There is no disagreement that every ghusl is a purification.

Issue: Tayammum is Only Allowed With Earth

Tayammum is not valid except with earth (ard). The earth is divided into two types: soil (turab) and non-soil As for soil, tayammum with it is permissible whether: it remains in its natural place on the ground, or has been removed and placed in a container, or in a cloth, or on a person's hand or an animal, or soil has been shaken off from any of these and collected so the palm can be placed on it, or it is on bricks, wooden beam, or anything similar. As for other than soil, such as: gravel (ḥaṣā), coarse sand (ḥaṣbāʾ), desert ground (ṣaḥrāʾ), pebbles (raḍrāḍ), slopes (hiḍāb), al-ṣafā, marble (rukhām), sand (raml), minerals like kuḥl, arsenic (zirnīkh), gypsum/pozzolana (jayyār), plaster (jiṣṣ), metals like gold, tutty (tūtiyāʾ), sulfur (kibrīt), lapis lazuli (laazaward), salt mineral and others. If they are still in the earth, and not removed from their place, then tayammum is allowed with all of them. But if any of them has been separated from the ground and placed into a container or cloth, then tayammum is not valid with them. Tayammum is not valid with bricks (ājurr) except if they are crushed so that the word soil (turab) occurs on it. Likewise, mud (ṭīn) is not valid, if it dries out till it is called soil then tayammum with it is valid. It is not valid to perform tayammum with: salt that crystallized from water, whether it is in its place or it is not. And also not with ice/snow, leaves, grass, wood or anything else that creates a barrier between the one performing tayammum and the earth.

The decisive evidence for this is that Allah ﷻ said, "Then perform tayammum with clean earth (ṣaʿīd), and wipe your faces and hands with it." [Al-Māʾidah: 6]

And the Messenger of Allah ﷺ said, "Its soil was made a purifier for us if we do not find water."[457]

[457] Ṣaḥīḥ Muslim 522: Ḍaʿīf

And he ﷺ said, “The earth was made for me a place of prayer and purification.”[458]

So, it is established that tayammum is not valid except with what Allah and His Messenger ﷺ mentioned, and no text came except for: ṣaʿīd, and that is the surface of the earth in the language of the Quran is revealed. And the earth which is known and soil (turab). So we find that soil, whether it is removed from the ground and placed in a cloth, container, on a person, horse sweat, felt, or part of bricks, crushed bricks, or anything similar it is still soil, and the name of that does not become invalid, and tayammum is then valid with it, in all cases.

And we find that bricks and mud, the word turab, earth and ṣaʿīd is omitted from it so tayammum is not allowed with it, and if it is crushed or dried then the word turab applies on it and tayammum is then allowed with it. And we find the other things we mentioned from: rocks, sand, minerals while they remain in the earth, that the name ṣaʿīd and earth still apply, so tayammum is valid with them.

But if they are removed from the earth, then the name ṣaʿīd and earth do not apply, and they are not called soil either so tayammum is not valid with them.

We also find that: crystallized salt, snow, grass, leaves are not called ṣaʿīd, earth, or soil, so tayammum is not valid with them either. This is that for which nothing else is allowed. This is the only valid view. However, there is disagreement.

If someone says, “Whatever stands between you and the earth is called earth.”

We say: If there are corpses, sheep, clothes, or wood between you and the earth, does that become the earth with which tayammum is valid with it?

They do not say that. So their claim that anything between you and the Earth is or is from the Earth is a false claim, not indicated by

[458] Ṣaḥīḥ Muslim 521: Ḍaʿīf

anything from the Qurʾān, Sunnah, or Language. Snow, mud, and salt, none of these can be used for wuḍūʾ or tayammum because none of them are water, soil, Earth, or ṣaʿīd. But if salt or snow melts and becomes water, then wuḍūʾ is valid because they have become water. And if mud dries and becomes soil, then tayammum is valid because it is then turāb.

Al-Shāfiʿī and Abū Yūsuf said, "Tayammum is not valid except with soil (turāb) specifically, and not with anything else."[459]

They claim that the saying of the Messenger of Allah ﷺ, "Its soil was made a purifier for us" is a clarification of what Allah meant by ṣaʿīd in the verse, and what he ﷺ meant by his statement, "The earth has been made for me a masjid and a purifier."

This is wrong because it is a claim without decisive evidence. And whatever is like that is invalid.

Allah the Exalted said, "Say: Bring your proof if you are truthful." [al-Baqarah: 111]

Instead, everything that Allah and His Messenger ﷺ said is the truth. Allah the Exalted said, "Pure soil (ṣaʿīdan ṭayyiban)" – [al-Māʾidah: 6]

And the Messenger of Allah ﷺ said, "The earth is a masjid and a purifier."[460]

And we mentioned before the sayings of the Prophet ﷺ about soil being a purifier.

All of this is the truth, and all of it must be acted upon, and it is not permissible to abandon one of these statements for another. So: All soil (turāb) is ṭahūr (purifying), all the earth (arḍ) is ṭahūr, and all ṣaʿīd is ṭahūr.

The verse and the ḥadīth of Jābir about the general earth are an additional ruling over the ḥadīth of Ḥudhayfah, which limits it to turāb (soil).

---

[459] Al-Umm 1/67 | Al-Mabsūṭ 1/108

[460] Al-Mustakhraj 1203, 3/403

So it is obligatory to take the additional text, and that does not prevent us from also accepting Ḥudhayfah's ḥadīth.

But restricting tayammum to what is in Ḥudhayfah's ḥadīth opposes the Qurʾān and what is in Jābir's ḥadīth, and this is not allowed. And with Allah is success.

As for those who claim making tayammum with the walls is permissible, they mention the narration which Juḥaym ibn al-Ḥārith ibn al-Ṣimmah al-Anṣārī narrated, "The Messenger of Allah ﷺ came from the direction of Biʾr Jamal. A man met him and greeted him with salām, but the Prophet ﷺ did not return the salām to him until he turned to a wall and wiped his face and hands [with the soil], then he returned the salām to him."[461]

This is weak because it has not come except from ʿUmayr mawla ibn ʿAbbās and he is majhūl.

Issue: In Tayammum, Must the Hands Precede the Face?

It is allowed to begin with the face and allowed to begin with the hands. As for beginning with the hands: ʿAmmār ibn Yāsir narrated, "The Messenger of Allah ﷺ taught him tayammum: He struck his hands on the earth, then shook them off, then wiped the back of his right hand with his left, or the back of his left with his right, then wiped his face."[462] As for beginning with the face, it is in the verse, so both are permissible. And this narration establishes that it is allowed to substitute shaking off the hands instead of blowing in them.

[461] Ṣaḥīḥ al-Bukhārī 337: Ḍaʿīf

[462] Ṣaḥīḥ al-Bukhārī 347: Ṣaḥīḥ

Menstruation

Issue: Menstruation

Menstruation (ḥayḍ) is what flows from the uterus of a woman, not her veins. What comes from the veins is blood, and what comes from the uterus during her menstruation, no matter the colour, is menstruation. Whenever it appears from the private part of a woman, it is not permitted for her to pray, fast, circumambulate the House (the Kaʿbah), or for her husband or master to have intercourse with her in the private part, until she sees the sign of purification (ṭuhr). If she sees normal blood which comes from the vein and is brighter, cleaner, flows more easily, and has an iron-like smell. It is then obligatory upon her to wash her entire head and body with water. If she does not find water, then she must perform tayammum. After that, she can pray, fast, make ṭawāf, and her husband or master may approach her. Everything we have mentioned is before and after menstruation ṭuhr (purity), and none of it is menstruation at all.

As for the prohibition of prayer, fasting, ṭawāf, and vaginal intercourse during menstruation, this is a decisive certain ijmāʾ established, with no disagreement among the people of Islam. A group from the Azāriqah opposed this, and they have no place among the people of Islam.

As for what menstruation (ḥayḍ) is:

ʿĀʾishah narrated, "Fāṭimah bint Abī Ḥubaysh came to the Messenger of Allah ﷺ and said: 'I suffer from istiḥāḍah and never become pure. Should I stop praying?' He said: 'That is not menstruation. It is rather a blood from a vein. When the menstrual period comes, then refrain from prayer. And when it ends, then perform ghusl and pray.'"[463]

[463] Ṣaḥīḥ al-Bukhārī 306, 325: Ṣaḥīḥ

This narration is narrated through the ṭarīq of Ḥammād ibn Zayd, Sufyān al-Thawrī, Sufyān ibn ʿUyaynah, Ibn Jurayj, Maʿmar, Zuhayr ibn Muʿāwiyah, Abū Muʿāwiyah, ʿAbd Allāh ibn Numayr, Wakīʿ ibn al-Jarrāḥ, Jarīr, ʿAbd al-ʿAzīz ibn Muḥammad al-Darāwardī, and Abū Yūsuf, all from Hishām ibn ʿUrwah, from his father, from ʿĀʾishah.

And also from ʿĀʾishah, "The Messenger of Allah ﷺ said, "When the menstrual period starts, refrain from prayer; and when it ends, then wash the blood off and pray."[464]

And from ʿĀʾishah who said, "Umm Ḥabībah bint Jaḥsh experienced istiḥāḍah and mentioned it to the Messenger of Allah ﷺ. He said: 'It is not menstruation, it is a blood from a vein. So when the menstrual period comes, refrain from prayer. And when it ends, perform ghusl and pray.'"[465]

So he ﷺ ordered her to avoid prayer when menstruation begins, and to perform ghusl when it ends. He addressed this to the women of Quraysh and the Arabs who were knowledgeable of what the word ḥayḍah occurs on.

So, it is obligatory to seek clarification on what the word ḥayḍah (menstrual bleeding) occurs on in the Sharīʿah and the Arabic language.

As for what al-Zuhrī, from ʿUrwah, from Fāṭimah bint Abī Ḥubaysh narrated, "She experienced istiḥāḍah, and the Messenger of Allah ﷺ said to her: 'Menstrual blood is black and known. So when it is that, stop praying. And when it is the other type (not black), then perform wuḍūʾ and pray. It is just a blood from a vein.'"[466]

All narrations about ḥayḍ being black is weak, they have not come except through Muḥammad ibn ʿAmr (ibn ʿAlqamah ibn Waqqāṣ), and the clarification of him being weak has preceded[467].

---

[464] Al-Muwaṭṭaʾ riwāyah Abī Muṣʿab 171, 1/68: Ṣaḥīḥ

[465] Ṣaḥīḥ Muslim 334, 64: Ṣaḥīḥ

[466] Sunan Abī Dāwud 286: Ḍaʿīf

[467] Masāʾil ibn Hāniʾ 2330, 2320

And ʿĀʾishah narrated, “One of the wives of the Prophet ﷺ performed iʿtikāf with the Messenger of Allah ﷺ, and she would see yellowish discharge and blood, with a basin placed underneath her while she prayed.”[468]

And ʿĀʾishah narrated, “Umm Ḥabībah bint Ḥubaysh, who was the wife of ʿAbd al-Raḥmān ibn ʿAwf, had istiḥāḍah for seven years. She sought the Messenger of Allah ﷺ about it, and he said: ‘This is not menstruation. It is blood from a vein. Perform ghusl and pray.’ ʿĀʾishah said: “She used to do ghusl in a large container in the chamber of her sister Zaynab bint Jaḥsh until the redness of the blood would color the water.”[469]

And ḥayḍ in the language is what flows from the uterus of a woman, not specifically blood. So it is established from what we have mentioned that ḥayḍ is everything that is released from the uterus specifically of a woman, black or brown, not from her veins, as the Prophet ﷺ declared what comes from the veins as not part of menstruation and whatever else flows from the uterus, no matter the colour, is menstruation. That is what prohibits prayer, fasting and intercourse for a woman.

As for the authentic narration in which the Prophet ﷺ said about istiḥāḍah, “No, but leave off (praying) for the duration of those days and nights during which you used to menstruate, then perform ghusl, use a cloth to absorb (the blood), and pray.”[470]

This order from him ﷺ was addressed to the woman who cannot distinguish her blood from menstruation.

The evidence for this is that as long as a woman knows she has menstruation, the ruling of that applies and by necessity it is known that at times it cannot be distinguished, so the ruling applies for that specifically.

---

[468] Ṣaḥīḥ al-Bukhārī 310: Ṣaḥīḥ

[469] Ṣaḥīḥ Muslim 334, 64: Ṣaḥīḥ

[470] Al-Mujtaba 354: Ṣaḥīḥ

If they mention the ḥadīth of Ibn ʿAbbās from the Prophet ﷺ regarding a man who has intercourse with his wife while she is menstruating, he said, "If the blood is fresh (ʿabīṭ), then a dīnār, and if it is yellowish (ṣufrah), then half a dīnār."[471]

This is weak because of the weakness of ʿAbd al-Karīm ibn Abī al-Mukhāriq.

If they then say: "The ḥadīth of Ibn Abī ʿAdī has iḍṭirāb, once he narrates it from memory and says: 'From al-Zuhrī —» ʿUrwah —» ʿĀʾishah,' and once from his book saying: 'from al-Zuhrī —» ʿUrwah —» Fāṭimah bint Abī Ḥubaysh' and no one other than Muḥammad ibn Abī ʿAdī has mentioned this."[472]

We say: This strengthens a narration and is not an iḍṭirāb because ʿUrwah narrated it from both Fāṭimah and ʿĀʾishah, and he met them both. ʿĀʾishah is his maternal aunt, his mother's sister, and Fāṭimah bint Abī Ḥubaysh ibn al-Muṭṭalib ibn Asad is his paternal cousin. And he is ʿUrwah ibn al-Zubayr ibn al-ʿAwwām ibn Khuwailid ibn Asad. As for Muḥammad ibn Abī ʿAdī, he is a thiqah, ḥāfiẓ, maʾmūn. No one objects to this except the Muʿtazilah, who do not accept khabar al-wāḥid as ḥujjah, using that as a reason to invalidate the Sunnah so all their objections fall away. And all praise is due to Allah, Lord of everything.

Issue: When a Menstruating Woman Sees Purity

If the menstruating woman sees purity (ṭuhr) which is any discharge released other than what comes from the uterus as menstruation is only a discharge from the uterus, if something else releases it is then purity (ṭuhr), then it is not permissible for her to pray or perform ṭawāf around the Kaʿbah until she washes her entire head and body with water. Or, if water is unavailable or she is ill and using water causes hardship, she

[471] Musnad ibn al-Jaʿd 2976: Ḍaʿīf

[472] Al-Mujtaba 217

performs tayammum. If she begins her fast in the morning without having performed ghusl, and she later performs ghusl or tayammum, within the time in which the ṣubḥ prayer can be performed, then her fast is valid. All of this is a matter of certain decisive ijmāʾ.

This is because of the statement of the Messenger of Allah ﷺ, "When the menstruation ends, then purify yourself."[473]

And we mentioned the Prophet ﷺ said to ʿĀʾisha about menstruation, "Unbraid your hair and perform ghusl."[474]

And the saying Allah the Most High, "Then when they have purified themselves, go to them." [al-Baqarah: 222]

The Prophet ﷺ has also said, "The earth is a means of purification (ṭahūr) if water is not found," as mentioned before.

So tayammum becomes obligatory upon the menstruating woman when water is unavailable.

As for delaying her ghusl or tayammum beyond the permissible time, we will mention in the Book of Fasting, if Allah wills.

Issue: If Her Husband or Master Wishes to Have Intercourse With Her After She Has Purity

As for the husband or master having intercourse with her after she has seen the sign of purity, it is not permissible except if she washes her entire head and body with water, or performs tayammum. If she does not do that, then she must perform wuḍūʾ for prayer, or tayammum if she is among those allowed to do it. If she does not do that either, then she must at least wash her private part (farj) with water. If she performs any one of these four actions, then intercourse becomes permissible for him.

[473] Ṣaḥīḥ al-Bukhārī 320: Ṣaḥīḥ
[474] Sunan ibn Mājah 641: Ṣaḥīḥ

The decisive evidence for this is the saying of Allah the Most High, “And they ask you about menstruation. Say: It is harm, so keep away from women during menstruation and do not approach them until they are purified. And when they have purified themselves, then approach them as Allah has ordered you.” [al-Baqarah: 222]

His saying, “Until they are purified,” means: until they attain ṭuhr which is a state of non-menstruation

And his saying, “And when they have purified themselves,” is the description of their act.

Everything we mentioned, washing the whole body, tayammum, washing the private part, or performing wuḍūʾ, the word taṭahhur occurs on it by the sharīʿah and in the lughah taṭahhur, ṭahūr, or ṭuhr. So whichever of these she does, she is purified.

Allah says, “In it are men who love to purify themselves.” [al-Tawbah: 108]

Then text has come that washing the private parts with water is purification.

And the Prophet ﷺ said, “The earth has been made a masjid and a means of purification (ṭahūr) for me.”

So it is established that tayammum is purification from both janābah and ḥadath.

And Allah the Most High said, “And if you are in a state of major impurity (junub), then purify yourselves.” [al-Māʾidah: 6]

And the Prophet ﷺ said, “Allah does not accept prayer of the one that does ḥadath till he performs wuḍūʾ.”[475]

Whoever makes a limit for the verse, “And when they have purified themselves,” [al-Baqarah: 222] to mean only complete ghusl without wuḍūʾ, tayammum, or washing the private part with water, has spoken without knowledge and claimed that Allah intended only part of what His words occur on, without any decisive evidence.

[475] Ṣaḥīḥ al-Bukhārī 135: Ṣaḥīḥ

It is said to them: Why don't you apply this same method to the word shafaq (twilight)? As you agree that any meaning on which the word shafaq occurs is valid, and when it ends, the time for ʿishāʾ begins. So sometimes you generalize the word to all it implies, and sometimes restrict it based on mere claims.

If someone says, "When a woman menstruates, she is prohibited for intercourse by consensus, so she is not permitted again except by another consensus."

We say: this is false and a lie. No text obliges this at all. Instead, if something becomes prohibited by consensus and then a text permits it, it becomes permissible; we do not care whether another consensus occurs or not. And this exact method invalidates most of their sayings. It is said to them: you have declared that prayer is prohibited for the one in minor or major impurity by consensus. So do not allow them to pray again unless there is another consensus, yet you permit the junub to pray using tayammum even if he lacks water for a whole month, while there is no consensus on that. ʿUmar ibn al-Khaṭṭāb, Ibn Masʿūd, Ibrāhīm al-Nakhaʿī, and al-Aswad do not permit him to pray with tayammum. You also invalidate the prayer of someone who does not rinse his nose during wuḍūʾ, because there is no consensus on its validity. You invalidate the wuḍūʾ of someone who uses leftover water from a woman, or who doesn't wash what was touched by fire, and many other such cases. This also applies to fasting, zakāh, ḥajj, and all other acts of worship. So this method of yours is entirely false in its essence and invalidates your own statements.

If they say, "Only that which makes prayer permissible makes intercourse permissible and that is ghusl."

We say: This is a false claim, and the first reason is that there is no decisive evidence for its validity.

And the second is that it can be permissible to have intercourse with her while prayer is not permissible for her and that is her being mujniba and if she did ḥadath.

And the third is that it is said to them: Why do you not say that it is not permitted to have intercourse with her except by what makes fasting makes permissible, which is according to you her merely seeing purity only, so it is a claim against a claim.

If some of them say, "We find that a prohibition enters by the most delicate/easiest of means and a permissibility does not except by the severest/heaviest of means such as marrying whom the fathers marry, it becomes prohibited by the ʿaqd and making permissible the woman who is divorced thrice, she does not become permissible except by ʿaqd and intercourse."

It is not as you have said. Instead, you have opposed your own premise, which is itself corrupt and invalid. We find that permissibility (taḥlīl) enters through the subtlest/easiest of matters such as the private part of an ajnabiyyah woman, which intercourse with it incurs Hellfire, makes the person's blood permissible through stoning, and whipping, but it becomes permissible through just three or two words: 'Marry me your daughter (ankiḥnī bintaka),' and he replies, 'I have married her to you (qad ankaḥtukahā).' Or, she herself utters consent, and the walī gives permission. Or, the master of the slave girl says, 'She is yours as a gift.'

And we find that prohibition does not enter except through the gravest/heaviest of matters such as triple divorce or the end of the ʿiddah. And we find that the prohibition of marrying a stepdaughter (rabībah) does not apply except with both ʿaqd and entering (upon her) otherwise; it does not apply. So it is apparent that what they have said is a confusion and false speech regarding the religion.

And the ḥaqq in this matter is that prohibition does not come about except through what permissibility comes about through: either the Qurʾān or the Sunnah, nothing more than that. And with Allah, Most High, is all success.

Issue: Does a Menstruating Woman Make Up Missed Prayers?

A menstruating woman, when she becomes pure, is not obliged to make up any prayers that passed during her menstruation. There is nothing that obliges her to make up the missed prayers, nor is it a debt upon her like some juhhāl claim because she is never obliged to any of it during her menstruation, so it cannot be a debt.

Issue: Menstruating Within the Prayer Times

If a woman begins menstruating at the beginning or end of the time of a prayer and has not yet prayed, then the prayer is waived from her, and she is not obliged to make it up.

The decisive evidence for our saying is that Allah made for each prayer a limited time, with a beginning and end. And it is established that the Messenger of Allah ﷺ prayed some prayers at their beginning times, and some at their end times. So whoever delays a prayer until the end of its time is not sinful, because the Prophet ﷺ did it, and he ﷺ never sinned. So a woman who delays the prayer to the end of its time, then menstruates before performing it, is not sinful, and the prayer was not yet obligatory upon her.

If prayer would be obligatory the moment the prayer time begins, then anyone who prays after the first time of it would be someone that makes it up (qaḍāʾ), not praying on time, and would be sinful for delaying it which is false.

Issue: She Becomes Pure at the Ending of the Prayer Time

If a woman becomes pure at the end of the prayer time, but not enough time remains for her to perform ghusl and wuḍūʾ before the time ends or tayammum if she is from ahl al-tayammum, then that prayer is not obligatory on her, and she is also not obliged to make it up.

The decisive evidence is that Allah only allowed prayer with purification, and He set defined times for each prayer. If a woman cannot purify herself while the prayer time remains, then we are certain that she is not obliged to pray something that she is not permitted to perform in its time.

If it is said, "Prayer right before the ending time of the prayer is a more specific situation, the person is obliged to pray so he does what he is able to and by that prays as he is, he is not able to do ghusl, wuḍūʾ or tayammum, so he is not obliged what he is not able to do and prays as he is. In the same manner it is allowed khamr in cases of necessity as a remedy/medicine and prohibited outside those cases."

We say: The matter is not as they claim because if a person would be obliged to pray while not being in a state of ṭahārah, then it would suffice without ṭahārah. So as this is the case, it is not a situation in which the more specific situation is made an exception. And as for their saying about khamr and cases of necessity, then yes, texts have allowed it in cases of necessity; this issue is not of this chapter, so our saying is established.

Issue: Is a Man Allowed to Enjoy Intimacy With His Menstruating Wife Without Intercourse?

A man can enjoy his menstruating wife in any way, except for intercourse in the vagina. He can use the two sides of the vagina without penetration in the vagina.

Anas narrated, “The Jews, when a woman among them menstruated, would not eat with her, nor would they stay with them in the same houses. So the Companions of the Messenger of Allah ﷺ asked the Messenger of Allah ﷺ about it. Then Allah, the Exalted, revealed: ‘And they ask you about menstruation. Say: it is a harm, so keep away from women during menstruation.’ [al-Baqarah: 222], the Messenger of Allah ﷺ said: ‘Do everything except sexual intercourse.’”[476]

It is narrated that Ibn ʿAbbās used to abstain from his wife’s bed during menstruation[477].

Those who follow the view of Ibn ʿAbbās used the verse, “They ask you about menstruation. Say: It is harm, so stay away from women during menstruation and do not approach them until they are purified.” [al-Baqarah: 222]

They also rely on a ḥadīth narrated from ʿĀʾishah, “When I would menstruate, I would get off the mattress onto the mat, and we would not go near the Messenger of Allah ﷺ nor come close to him until we became pure.”[478]

This narration comes from Abū al-Yamān Kathīr ibn al-Yamān al-Raḥḥāl, who is not a thiqah and from Umm Dharrāh, who is majhūl so this narration is false.

As for the verse, it would oblige the action of Ibn ʿAbbās, except if there is an authentic clarification from the Messenger of Allah ﷺ, which must be taken from, and the clarification has come that from the Prophet ﷺ that the verse is only about the private part of the woman as we will mention by the will of Allāh.

Abū Ḥanīfah, Mālik and al-Shāfiʿī said, “The husband can have what is above the waist-wrapper from the navel upwards, not below that of her.”[479]

---

[476] Ṣaḥīḥ Muslim 302, 16: Ṣaḥīḥ

[477] Musnad Aḥmad 26819, 44/403

[478] Sunan Abī Dāwud 271: Ḍaʿīf

[479] Al-Aṣl 3/70 | Al-Umm 5/178 | Al-Mudawwanah of Saḥnūn 1/153

They use as evidence the narration from Kurayb, the mawla of Ibn ʿAbbās, who said, "I heard Maymūnah, the Mother of the Believers, say: 'The Messenger of Allah ﷺ used to lie down with me while I was menstruating, and there was a garment between me and him.'"[480]

This is weak as Makhramah ibn Bukayr did not hear from his father Bukayr ibn ʿAbdullah al-Ashajj.

And they also mention another ḥadīth, from Nudbah, the mawlāh of Maymūnah, who said: "The Messenger of Allah ﷺ used to touch his wife while she was menstruating if she was wearing an izār that reached the middle of the thighs or the knees, and she had it tightly wrapped."[481]

This is weak as Nudbah is majhūlah.

And they mention a ḥadīth from ʿĀʾishah that she used to sleep with the Messenger of Allah ﷺ while she was menstruating, and there was a garment between them[482].

This is weak as ʿUmar ibn Abī Salamah is ibn ʿAbd al-Raḥmān ibn ʿAwf al-Zuhrī and he is weak. And ʿAbdullah ibn ʿUmar who is al-ʿUmarī al-Ṣaghīr is weak by agreement, only his brother ʿUbaydullah is a thiqah.

And they also mention a narration from ʿUmar, "I asked the Messenger of Allah ﷺ: What is permissible for a man from his menstruating wife?" The Messenger of Allah ﷺ said: 'What is above the izār (lower garment) is permissible. Do not look below it until she becomes pure.'"[483]

This is weak as the group asking ʿUmar is unknown and ʿĀṣim ibn ʿAmr al-Bajalī did not meet ʿUmar. And ʿUmayr mawla ʿUmar ibn al-Khaṭṭāb is majhūl.

---

[480] Ṣaḥīḥ Muslim 295: Ḍaʿīf

[481] Sunan Abī Dāwud 267: Ḍaʿīf

[482] Al-Tamhīd of ibn ʿAbd al-Barr 2/538: Ḍaʿīf

[483] Al-Muṣannaf of ibn Abī Shaybah 17103: Ḍaʿīf

And it was also narrated from Abū Isḥāq from ʿUmayr, the mawla of ʿUmar, in the same manner[484].

This is weak as Abū Isḥāq did not hear from ʿUmayr. And in another ṭarīq Abū Isḥāq mentions ʿĀṣim ibn ʿAmr between him and ʿUmayr maul ʿUmar, so he did not hear it from him[485]. Then how when ʿUmayr, the mawla of ʿUmar is majhūl.

And from ʿAbd al-Raḥmān ibn Mahdī —» Mālik ibn Mighwal —» ʿĀṣim ibn ʿAmr —» ʿUmar, with the same meaning[486].

This is weak because of inqiṭāʾ between ʿĀṣim ibn ʿAmr and ʿUmar.

And it is also narrated it from Musaddad from Abū al-Aḥwaṣ from Ṭāriq ibn ʿAbd al-Raḥmān from ʿĀṣim ibn ʿAmr from ʿUmar[487].

This is also weak because of an inqiṭāʾ between ʿĀṣim ibn ʿAmr and ʿUmar. ʿĀṣim only narrated it from a majhūl man, from other majhūl men[488].

So these narrations fall apart from every single angle.

And the narration narrated by Ḥarām ibn Ḥakīm from his uncle, who asked the Messenger of Allah ﷺ: "What is permissible for me from my wife when she is menstruating?" He ﷺ said: "What is above the izār."[489]

This is weak as Hārūn ibn Muḥammad ibn Bakkār is not a thiqah. And Muʿāwiyah ibn Ṣāliḥ is weak for his weak memory[490].

And a narration by Muʿādh ibn Jabal, who said, "I asked the Messenger of Allah ﷺ what is permissible for a man from his

---

[484] Aḥkām al-Qurʿān 164: Ḍaʿīf

[485] Sharḥ Maʿānī al-Āthār 4380, 3/36: Ḍaʿīf

[486] Itḥāf al-Maharah of al-Būṣīrī 838, 1/405: Ḍaʿīf

[487] Al-Muṣannaf of ibn Abī Shaybah 17103: Ḍaʿīf

[488] Musnad ibn al-Jaʿd 2568 | Musnad Aḥmad 86, 1/247: Ḍaʿīf

[489] Sunan Abī Dāwud 212: Ḍaʿīf

[490] Bayān al-Wahm wal-Īhām 4/112

menstruating wife, and he said: 'What is above the izār, but abstinence is better.'"[491]

This is weak as Baqiyyah ibn al-Walīd is weak as clarified before, and Saʿd ibn ʿAbdullah al-Aghṭash is weak. And there is inqiṭāʾ between ʿAbd al-Raḥmān ibn ʿĀʾidh al-Azdī and Muʿādh ibn Jabal.

And a narration narrated by Ibn ʿAbbās, that he was asked: "What is permissible for a man from his menstruating wife?" He said: "We heard, and Allah knows best, that if the Messenger of Allah ﷺ said it, then that is it: 'What is above the izār is permissible.'"[492]

This is weak as Ibn ʿAbbās did not affirm isnād to the Prophet ﷺ.

And a narration narrated from ʿĀʾishah, "The Messenger of Allah ﷺ was asked what is permissible for a man from his menstruating wife, and he said: 'What is above the izār.'"[493]

This is weak as ʿAbdullah ibn ʿUmar who is ibn Ḥafṣ ibn ʿĀṣim ibn ʿUmar ibn al-Khaṭṭāb is weak.

Then we look at what we ourselves say, and find the authentic narration from Maymūnah and ʿĀʾishah, the Mother of the Believers, may Allah be pleased with them both, to be that which is narrated through the route of ʿAbd Allāh ibn Shaddād from Maymūnah, "The Messenger of Allah ﷺ used to have physical intimacy with his wives above the waist-wrapper (izār) while they were menstruating."[494]

And this does not indicate that only what is above the izār is allowed.

And what ʿĀʾishah narrated, "He ﷺ used to order her to wrap herself with the waist-wrapper at the beginning of her menstruation, then he would have physical intimacy with her. And which of you is

---

[491] Sunan Abī Dāwud 213: Ḍaʿīf

[492] Itḥāf al-Maharah of al-Būṣīrī 737, 1/404-405: Ḍaʿīf

[493] Al-Kubrā of al-Bayhaqī 1/191: Ḍaʿīf

[494] Ṣaḥīḥ al-Bukhārī 303: Ṣaḥīḥ

able to control his desire like the Messenger of Allah ﷺ was able to control his desire?"[495]

We will mention the authentic narration, clarifying that this is not obligatory.

And ʿĀʾishah narrated, "I and the Messenger of Allah ﷺ used to lie under one blanket while I was menstruating. If anything from me touched him, he would wash it off and not go beyond it. Then he would pray in that garment and return to lie with me again."[496]

ʿIkrimah narrated from some of the wives of the Messenger of Allah ﷺ, "Whenever the Messenger of Allah ﷺ wanted something from a menstruating woman, he would place a cloth over her private area."[497]

Anas ibn Mālik narrated, "The Jews, when a woman was menstruating, would not eat with her and also not live with them in the same house. So the companions of the Prophet ﷺ asked about that, and Allah revealed: 'And they ask you about menstruation. Say: It is a harm, so keep away from women during menstruation.' [al-Baqarah: 222] So the Messenger of Allah ﷺ said: 'Do everything except intercourse.'"[498]

So this narration by its authenticity and clarification came after the verse was revealed. It is the clarification of the ruling of Allāh in the verse, and it is that which must not be transgressed.

And also, maḥīḍ as mentioned in the verse, is in the language that can be the place of menstruation, which is the private part, and this is correct and well-known. So the verse then goes in accordance with the aforementioned narration, and its meaning would be: "So avoid the women in the place of menstruation."

---

[495] Ṣaḥīḥ al-Bukhārī 302: Ṣaḥīḥ

[496] Al-Mujtaba 372: Ṣaḥīḥ

[497] Sunan Abī Dāwud 272: Ṣaḥīḥ

[498] Ṣaḥīḥ Muslim 302: Ṣaḥīḥ

Some people, who do not care what their tongues utter (al-Ṭaḥāwī)[499] claimed that the ḥadīth of ʿUmar, which is not authentic as clarified before, abrogates the ḥadīth of Anas – the only authentic narration in this chapter, claiming that the ḥadīth of Anas was connected to the time of the verse's revelation.

This is a clear falsehood, speaking on a matter with no knowledge. And even if the ḥadīth of ʿUmar would be authentic, which it is not, where does he get it from that it came after the verse was revealed? As it being before, it is possible; it is not allowed to decisively claim that it came after it.

It is not allowed to abandon the certainty of what the Qurʾān brought and what the Messenger of Allah ﷺ clarified after the revelation of the verse because of a false suspicion from a weak ḥadīth.

With the two authentic narrations, which are: one is from ʿĀʾishah, "The Messenger of Allah ﷺ said to her: 'Hand me the mat from the masjid.' I said: 'But I am menstruating.' He replied: 'Your menstruation is not in your hand.'"[500]

And the second is from Abū Hurayrah, "The Messenger of Allah ﷺ was in the masjid and said: 'O ʿĀʾishah, hand me the garment.' She said: 'I am menstruating.' He said: 'Your menstruation is not in your hand.'"[501]

There is in them dalīl that nothing is obligatory to be avoided except the place in which menstruation occurs only.

[499] Sharḥ Maʿānī al-Āthār 4385, 3/38

[500] Ṣaḥīḥ Muslim 298, 11: Ṣaḥīḥ

[501] Ṣaḥīḥ Muslim 299: Ṣaḥīḥ

Issue: The Blood of Postnatal Bleeding (Nifās) Prevents What the Menstrual Blood Prevents

The blood of postnatal bleeding prevents what menstrual blood prevents. And postnatal bleeding is menstruation, and its ruling is the same as menstruation in every matter, because the Messenger of Allah ﷺ said to ʿĀʾishah: "Have you entered into menstruation (anufisti)?" She said: "Yes."[502] So, he called menstruation 'nifās'. And likewise, ghusl from it is obligatory.

Issue: It is Permissible For The Menstruating Woman and The Woman in Postnatal Bleeding to Marry and To Enter the Mosque

It is permissible for the menstruating woman and the woman in postnatal bleeding to marry and to enter the mosque, and likewise a junub, because no prohibition has come regarding any of that. The Messenger of Allah ﷺ said: "The muʿmin does not become impure."[503]

The clarification for this has preceded. And the people of al-Ṣuffah used to sleep in the mosque in the presence of the Messenger of Allah ﷺ and they were a large gathering, and there is no doubt that among them were those who had wet dreams, and they were never prohibited from that.

Al-Shāfiʿi said, "The junub and the menstruating woman must not enter the mosque except in passing."[504]

They mention the verse, "O you who believe, do not approach prayer while you are intoxicated until you know what you are saying,

[502] Ṣaḥīḥ al-Bukhārī 294: Ṣaḥīḥ
[503] Ṣaḥīḥ al-Bukhārī 285: Ṣaḥīḥ
[504] Al-Umm 1/70-71

nor while being junub, except when passing through, until you have performed ghusl." [al-Nisāʾ: 43]

This is not a ḥujjah, there is only in it that the junub does not pray, nothing more.

And they claim that Zayd ibn Aslam or ibn ʿAbbās said its meaning is, "Do not approach places of prayer."[505]

There is no ḥujjah in the saying of Zayd and ibn ʿAbbās. And even if it is authentic that they said it, then it is a mistake from them, because it is not permissible to assume that Allah meant, "Do not approach places of prayer," and then obscure it by saying, "Do not approach the prayer."

And it was narrated that the verse is about the prayer itself from ʿAlī ibn Abī Ṭālib, and also Ibn ʿAbbās, and others, then how when none of their sayings are a ḥujjah.

Those who prohibit them from entering a masjid mention a narration from ʿĀʾishah that the Messenger of Allah ﷺ said to his companions: "Direct these houses away from the mosque, for I do not permit the mosque for a menstruating woman or a person in major impurity."[506]

This is weak as Aflat ibn Khalīfah, he is not known with thiqah without difference from anyone whose sayings matter.

Another narration from Umm Salamah told me that the Messenger of Allah ﷺ called out loudly: "Indeed, this masjid is not permissible for a junub or a menstruating woman, except for the Prophet and his wives, and ʿAlī and Fāṭimah."[507]

This is weak as Abū al-Khaṭṭāb al-Hajarī is majhūl and Maḥdūj, there is nothing known about him except that he narrates muʿḍalāt from Jasrah, so he is discarded in any case.

And another narration from Umm Salamah, "The Messenger of Allah ﷺ said: 'This mosque is prohibited for every junub man and

[505] Al-Nāsikh wal-Mansūkh pg. 337

[506] Sunan Abī Dāwud 232: Ḍaʿīf

[507] Sunan ibn Mājah 645: Ḍaʿīf

every menstruating woman except for Muḥammad and his wives and ʿAlī and Fāṭimah."[508]

This is weak as ʿAṭāʾ al-Khaffāf. He is ʿAṭāʾ ibn Muslim, and his weakness is very well established. He is not ʿAbd al-Wahhāb ibn ʿAṭāʾ al-Khaffāf as ibn al-Qayyim and ibn al-Mulaqqin falsely have claimed because ʿAbd al-Wahhāb ibn ʿAṭāʾ is not known to have narrated from ʿAbd al-Malik ibn Ḥumayd ibn Abī Ghunyah. And also, ʿAbd al-Wahhāb ibn ʿAṭāʾ was Baṣrī, while ʿAṭāʾ ibn Muslim was Kūfī and resided in Ḥalab. There is no evidence that ʿAbd al-Wahhāb was a known narrator, while ʿAṭāʾ ibn Muslim was well-known from Mūsa ibn Marwān.

And another narration from Kathīr ibn Zayd from al-Muṭṭalib ibn ʿAbd Allāh: "The Messenger of Allah ﷺ did not permit anyone to sit in the mosque or pass through it while being junub except for ʿAlī ibn Abī Ṭālib."[509]

This is weak as Muḥammad ibn al-Ḥasan ibn Zabālah is weak, and Kathīr ibn Zayd al-Aslamī is also weak. So all of this is false.

ʿĀʾishah narrated, "There was a black slave girl belonging to an Arab tribe, and they freed her. She came to the Messenger of Allah ﷺ and accepted Islam, and she had a tent or a shelter in the mosque."[510]

Here is a woman living in the Prophet's ﷺ masjid, and what is common from women is menstruation, but he did not prevent her or prohibit her. Whatever the Prophet ﷺ did not prohibit is permissible.

We have mentioned the statement of the Messenger of Allah ﷺ, "The earth has been made a mosque for me."[511]

And there is no difference that the menstruating woman and the junub are permitted to be on all the earth, and it is a masjid. So it is not allowed to specify a prohibition to some masājid and not others.

---

[508] Tārīkh of ibn Shabbah 1/83: Ḍaʿīf

[509] Aḥkām al-Qurʿān 138: Ḍaʿīf

[510] Ṣaḥīḥ al-Bukhārī 439: Ṣaḥīḥ

[511] Ṣaḥīḥ al-Bukhārī 438: Ṣaḥīḥ

If entering the masjid would not be permitted for a menstruating woman, the Prophet ﷺ would have informed ʿĀʾishah of that when she menstruated, but he only prohibited her from circumambulating the House[512].

It is from certain falsehood that it would not be allowed for her to enter the masjid and then he ﷺ does not prohibit her from entering it and only mentions as prohibition the ṭawāf. Then how when every single narration prohibiting it is weak.

Issue: The Ruling on Intercourse with a Menstruating Woman

Whoever has intercourse with a menstruating woman has disobeyed Allah ﷻ. It is obligatory upon him to repent and seek forgiveness. And there is no kaffārah is obligatory on him.

As for those who say he must give a dīnār or half a dīnār, they argue with the narration of Ibn ʿAbbās, "The Messenger of Allah ﷺ said 'He gives a dīnār or half a dīnār in charity.'" And in some words of the narration, "If the blood is fresh (ʿabīṭ), then a dīnār, and if it is yellowish, then half a dīnār."[513]

This is weak because of the weakness of ʿAbd al-Karīm ibn Abī al-Mukhāriq

And another narration from Ibn ʿAbbās, from the Prophet ﷺ regarding one who enters his wife while she is menstruating: "He gives half a dīnār in charity."[514]

This is weak because of the weakness of Sharīk ibn ʿAbdullah al-Nakhaʿī and Khuṣayf.

And as for the Ḥadīth of al-Awzāʾī, it is murāl.

---

[512] Ṣaḥīḥ al-Bukhārī 294, 305: Ṣaḥīḥ

[513] Musnad ibn al-Jaʿd 2976: Ḍaʿīf

[514] Al-Sunan al-Kubra 9064, 8/232: Ḍaʿīf

And a narration from ʿAbd al-Ḥamīd ibn ʿAbd al-Raḥmān ibn Zayd ibn al-Khaṭṭāb that the Messenger of Allah ﷺ ordered the one who intentionally had intercourse with a menstruating woman to give two-fifths of a dīnār in charity[515].

This is weak as there is inqiṭāʾ between ʿAbd al-Ḥamīd ibn ʿAbd al-Raḥmān ibn Zayd ibn al-Khaṭṭāb and ʿUmar ibn al-Khaṭṭāb.

And another narration from ʿUmar ibn al-Khaṭṭāb that he had intercourse with his slave girl and discovered she was menstruating, so he went to the Messenger of Allah ﷺ and informed him. The Prophet ﷺ said to him: "Give half a dīnār in charity."[516]

This is also weak because of inqiṭāʾ between ʿAbd al-Ḥamīd and ʿUmar. And also ʿAbd al-Malik ibn Ḥabīb is weak.

Another narration from Ibn ʿAbbās that the Prophet ﷺ said, "Let him give a dīnār or half a dīnār in charity."[517]

This is weak as ʿAbd al-Malik ibn Ḥabīb is weak.

And another narration from Ibn ʿAbbās, "The Messenger of Allah ﷺ ordered a man who had intercourse with a menstruating woman to free a soul."[518]

This is weak as ʿAbd al-Raḥmān ibn Yazīd ibn Tamīm is weak.

And a narration from Ibn ʿAbbās from the Prophet ﷺ with the same wording[519].

This is weak as it is also from ʿAbd al-Raḥmān ibn Yazīd ibn Tamīm who is weak.

And those who oblige freeing a slave, fasting, or feeding others only do that by qiyās to one who has intercourse during the day in Ramaḍān.

---

[515] Musnad al-Dārimī 1110: Ḍaʿīf

[516] Adab al-Nisāʾ 102: Ḍaʿīf

[517] Adab al-Nisāʾ 102: Ḍaʿīf

[518] Al-Sunan al-Kubrā 9067, 8/233: Ḍaʿīf

[519] Al-Sunan al-Kubrā 9068, 8/233: Ḍaʿīf

As for making qiyās between intercourse with a menstruating woman and intercourse during Ramaḍān, all qiyās is false and their contradiction in their qiyās is as evident as the sun.

As for us: if anything from these narrations would be authentic, we would have acted upon it. But as nothing authentic has been established obligating anything on one who has intercourse with a menstruating woman, then his wealth is ḥarām as no authentic text obliges taking from it, so it is then through false means. He is only obliged what Allah ﷻ made obligatory upon him: repentance, seeking forgiveness, and taʿzīr, in accordance with the saying of the Messenger of Allah ﷺ, "Whoever among you sees an evil, let him change it with his hand."[520] We will mention the amount of and description of taʿzīr in its place, if Allah ﷻ wills, and by Him we seek strength.

Issue: Blood Seen By a Pregnant Woman Who Did Not Yet Give Birth To Her Last Child

Blood seen by the pregnant woman specifically is not menstruation. It is established from the Prophet ﷺ that he prohibited divorcing the menstruating woman[521] and ordered divorcing during the state of pregnancy[522]. So pregnancy is a state other than menstruation.

Issue: An Old Woman Sees Menstruational Blood

If an old woman or post-menopausal woman sees the menstruational blood we described, then it is ḥayḍ, which prohibits ṣalāh, fasting, ṭawāf, and intercourse.

---

[520] Ṣaḥīḥ Muslim 49: Ṣaḥīḥ

[521] Ṣaḥīḥ al-Bukhārī 5332: Ṣaḥīḥ

[522] Ṣaḥīḥ Muslim 1471, 5: Ṣaḥīḥ

The evidence for this is that the Prophet ﷺ did not exclude age from this.

And he ﷺ said regarding menstruation, "This is something Allah has written upon the daughters of Ādam."[523]

There has not come any text that it is not ḥayḍ, unlike the case of the pregnant woman, where a text has come.

If they argue with the saying of Allah ﷻ, "And those among your women who have despaired of menstruation, if you are in doubt, their waiting period is three months." [al-Ṭalāq: 4]

We say: Allah ﷻ only informed about their despair (of menses), and did not inform that their despair is a decisive negation of ḥayḍ. We do not deny their despair of ḥayḍ, but we say: their despair of ḥayḍ does not prevent Allah ﷻ from bringing a ḥayḍ for them again. And Allah did not say that such a thing cannot occur, and also not His Messenger ﷺ.

Allah ﷻ also said, "And the women who have ceased menstruating, who do not seek to marry." [al-Nūr: 60]

So Allah ﷻ informed that they are women who despair for marriage and this is not a prevention from marriage according to anyone, and there is no difference between the two types of statements from Allah ﷻ one about those who despair of menses and the other about those who do not hope for marriage.

And both are a ruling that came to women who assume these two assumptions. And both of these, do not prevent what they are presumed to be cut off from, menstruation and marriage.

[523] Ṣaḥīḥ al-Bukhārī 294, 305, 5548, 5559: Ṣaḥīḥ

Issue: The Shortest and Longest Duration of Menstruation

The minimum menstruation is a single discharge. So, if a woman sees menstruation blood from her private part, she must refrain from prayer and fasting, and it becomes prohibited for her husband or master to have intercourse with her. If she sees blood or discharge that is not from the uterus such as white discharge, then she must perform ghusl or tayammum if she is from the people of tayammum. She prays, fasts, and her husband or master can approach her. And in this manner forever till she sees menstruation, and whenever she sees anything else, it is ṭuhr. She is in her ʿiddah by that for divorce. And there is no limit for the longest duration for a menstruation whatsoever. Just as there is no limit for the shortest menstruation and just as there is no limit for nifās.

The decisive evidence is what we mentioned from the revealed that discharge from the uterus obliges menstruation, and anything else is not menstruation. As for the white discharge or others, it comes from the cervix. And in the language in which we are addressed, the uterus is where the baby develops, and the discharge of this uterus is menstruation. As for the white discharge and others, then the baby does not develop in the cervix, so it is not from the uterus.

And the Prophet ﷺ did not specify any duration or number of days. Instead, by the mere sight of it, he obliges that she must refrain from prayer and fasting, and Allah prohibited intercourse with menstruating women. The Prophet ﷺ ordered prayer and fasting when it ends, and Allah permitted intercourse when she has ṭuhr.

It is not allowed to specify certain times and exclude others from this ruling. As long as menstruation is present, it has the ruling that Allah has given it, except if there is a text that it is not menstruation, and no such text exists.

He ﷺ gave the ruling of menstruation to blood discharge from the uterus, so it is menstruation and prevents everything we mentioned.

There is no text that part of the ṭuhr which permits prayer and fasting does not count as a qurʾ in the ʿiddah. Anyone who differentiates between them is mistaken. He is claiming something that is not in the Qurʾān and also not in the Sunnah, not in the authentic and also not in the weak.

Instead, both the Qurʾān and Sunnah establish what we say: that prayer and fasting are not permitted during menstruation, and are permitted with its absence, and that ṭuhr between two menstrual periods is a qurʾ that is counted in the ʿiddah.

Allah said, "And the divorced women shall wait by themselves for three qurūʾ." [al-Baqarah: 228]

So whoever makes a limit for the number of days for Qurʾ, he is invalidating the general text and claims what he has no knowledge of, and what no text or consensus has supported.

There is disagreement in three places here: the minimum duration of menstruation. The maximum duration of menstruation. And differentiating between the ʿiddah in that and between prayer and fasting.

As for the one who differentiates between prayer, fasting, prohibition of intercourse, and between ʿiddah, it is a clear mistake.

We do not know any ḥujjah for them at all, not from the Qurʾān, and also not from any authentic or weak Sunnah. So, it is obligatory to abandon it.

Then we look at the saying of those who say, "The menstruation of women is usually six or seven days."

And they have nothing in their hands except that they say, "This is what is common among women."

And they mentioned a ḥadīth from Ibn Jurayj —» ʿAbdullāh ibn Muḥammad —» Ibrāhīm ibn Muḥammad ibn Ṭalḥah —» his uncle ʿImrān ibn Ṭalḥah, "Umm Ḥabībah had istiḥāḍah, so the Messenger of Allah ﷺ set her menstruation at six or seven days."[524]

[524] Sunan ibn Mājah 622: Ḍaʿīf

And what Ḥamnah bint Jaḥsh narrates, “The Messenger of Allah ﷺ said: ‘Menstruate for six or seven days in the knowledge of Allah, then perform ghusl. When you become clean, pray for twenty-four or twenty-three days, and their days, and fast likewise. Do this each month as women menstruate and become clean at the time of their menstruation and purification.”[525]

These two narrations are weak; ibn Juraij did not hear this narration from ʿAbdullah ibn Muḥammad ibn ʿAqīl; he only heard it from Al-Nuʿmān ibn Rāshid, who is weak[526].

This ḥadīth is also narrated by Sharīk and Zuhayr ibn Muḥammad, and both are weak.

And ʿUmar ibn Ṭalḥah is not majhūl, and Ṭalḥah is not known to have had a son named ʿUmar.

As for the other narration, it comes through the ṭarīq of ʿAbdullah ibn Muḥammad ibn ʿAqīl ibn Abī Ṭālib.

As for their statement: “This is what is customary among women regarding menstruation.”

There is no ḥujjah in this. Because the Qurʾān and also not the Sunnah have made adherence to that obligatory. And among women, there are those who do not menstruate at all, yet rulings of menstruation do not apply to them. So attributing them all to ‘the customary’ is false. And some women menstruate for less or more than that, so this claim falls apart.

Then we look at the saying of those who say, “The minimum of menstruation is five days.”

We find it to be a claim without evidence, and whatever is such is rejected.

Then we look into the saying of those who made the minimum three days, and find that they base it on the saying of the Messenger of

[525] Al-Mustadrak of al-Ḥākim 1/172: Ḍaʿīf

[526] Al-ʿIlal 5271, 3/286

Allah ﷺ, “Abandon the prayer for the number of days that you used to menstruate, then perform ghusl and pray.”[527]

And ʿUrwah ibn al-Zubayr narrated, “Fāṭimah bint Abī Ḥubaysh told me that she ordered Asmāʾ or Asmāʾ told me that Fāṭimah bint Abī Ḥubaysh told her, to ask the Messenger of Allah ﷺ. So he ordered her to sit (refrain from prayer) the days she used to sit, then to perform ghusl.”[528]

They say, “The least amount on which ‘days’ occurs is three.”

And they also mention a ḥadīth from Muʿādh ibn Jabal, from the Prophet ﷺ, “There is no menstruation less than three days, and not more than ten.”[529]

This is weak as Muḥammad ibn al-Ḥasan al-Ṣadafī is majhūl.

As for the authentic narration in this matter from the route of ʿĀʾishah, Fāṭimah, and Asmāʾ, it is not a ḥujjah for them. Because the Messenger of Allah ﷺ ordered the woman who had known accustomed days. That is the wording of the narration, which is prohibited to divert away from. And he ﷺ did not order that the woman who has no days.

The decisive evidence for this is that, as mentioned before, numerous people, with a great number: Yaḥyā ibn Saʿīd al-Qaṭṭān, Zuhayr ibn Muʿāwiyah, Ḥammād ibn Zayd, Sufyān, Abū Muʿāwiyah, Jarīr, ʿAbd Allāh ibn Numayr, Ibn Jurayj, al-Darāwardī, Wakīʿ ibn al-Jarrāḥ, all narrated from Hishām ibn ʿUrwah, from his father, from ʿĀʾishah, from the Messenger of Allah ﷺ, “When the menstruation comes, then abandon the prayer and when it ends, perform ghusl and pray,” as mentioned before.

It is also narrated by Mālik, al-Layth ibn Saʿd, Saʿīd ibn ʿAbd al-Raḥmān, Ḥammād ibn Salamah, ʿAmr ibn al-Ḥārith, all from Hishām ibn ʿUrwah from his father from ʿĀʾishah from the Prophet ﷺ,

---

[527] Ṣaḥīḥ al-Bukhārī 325

[528] Sunan Abī Dāwud 281: Ṣaḥīḥ

[529] Al-Ḍuʿafāʾ 4/80: Ḍaʿīf

“When menstruation begins, stop praying; when its duration ends, wash the blood and pray.”

It is also narrated by al-Awzāʿī from al-Zuhrī from ʿUrwah from ʿĀʾishah and by al-Mundhir ibn al-Mughīrah from ʿUrwah, all with the wording, “When the menstruation begins,” or: “When your period begins.” Without any mention of a specific number of days.

ʿĀʾishah narrated, “Umm Ḥabībah asked the Messenger of Allah ﷺ about the blood. I saw her washbasin full of blood. The Messenger of Allah ﷺ said to her: ‘Remain [refrain from prayer] for the number of days your ḥayḍ used to restrain you, then perform ghusl and pray.’”[530]

And the ruling was for one whose menstruation was less than three days, and also for one whose menstruation is one day or more than ten days.

And all of these are the ḥaqq that it is not permissible to abandon, and also not to divert any part of them from their apparent meanings. And it is not permissible for anyone to say that the Messenger’s ﷺ intent by his statement encompassing all of what we have mentioned is that he only intended ‘three days.’ Whoever comes with such a claim is lying about the Messenger of Allah ﷺ, so their clinging unto the ḥadīth falls away.

As for the narration from Muʿādh, then it is weak, because it comes through the ṭarīq of Muḥammad ibn al-Ḥasan al-Ṣadafī, who is majhūl.

And the wonder is that they argue here that the word ‘days’ only occurs on three and no less, while they say regarding the statement of Allah, “But if he had brothers, then for his mother is one-sixth.” [al-Nisāʾ: 11], that ‘ikhwah’ (brothers) does not apply except to two only. So why then do they not allow the word ‘days’ here to apply to two?

[530] Ṣaḥīḥ Muslim 334, 65: Ṣaḥīḥ

Then we look at the saying of those who said, "The minimum duration of menstruation is one day and one night." And find that they have no ḥujjah in any text for this.

And also, the authentic narration is established from the Messenger of Allah ﷺ as we mentioned earlier, "When menstruation comes, leave off prayer. And when it ends, perform ghusl and pray."[531]

Without specifying any duration. This is our position.

As for the longest duration of a menstruation, some claimed it is ten, others thirteen, others fifteen, and others seventeen.

As for those who claim it is ten, they claim, "The word 'days (ayyām)' does not occur except on ten."

Then this is false, a clear lie; the language and also not the sharīʿah oblige it, then how when Allāh said, "Then a period of other days." [al-Baqarah: 184] And this occurs on thirty days without difference, and we clarified the weakness of the narration of Muʿādh from the Prophet ﷺ before.

As for those who claim the other amounts, then the only thing in their hands is claiming ijmāʾ, and claiming ijmāʾ in this matter is false as this matter is not that which is limited, and nothing obliges a limit for it. Just as there is no limit for the least amount of it. And just as nothing obliges a minimum amount or the longest amount for ṭuhr.

If they say, "Then a woman could be longer in menstruation than in ṭuhr, and this is impossible."

We say: Where do you get it from that this is impossible? What is that which prevents it if it exists, no Qurʿān and also no Sunnah ever came preventing that. And Allāh is the source of strength.

[531] Ṣaḥīḥ al-Bukhārī 228, 320: Ṣaḥīḥ

Issue: There is No Limit For the Least Duration of Ṭuhr and Also No Limit For the Longest Duration

There is no least amount of duration for a woman being in a state of ṭuhr and also no limit for the longest duration. A woman may never menstruate and remain in ṭuhr forever. And a woman may also be in a state of ṭuhr for only an hour or more.

As for the one who says, "There can be no state of ṭuhr less than fifteen days."

Then no ḥujjah for it is known at all.

And as for the one who says, "There can be no state of ṭuhr less than nineteen days."

They argued by saying, "Verily, Allah ﷻ has made the ʿiddah of a menstruating woman to be three quruʾ (menstrual cycles), and for the one who does not menstruate, He made it three months. So it is established that for every menstruation and period of ṭuhr there is a full month so menstruation and ṭuhr cannot occur in less than one month."

This is not a ḥujjah at all because it is a saying that Allah ﷻ did not say. So ascribing it to Him is a lie. We mean that Allāh did not ever say, "I made every menstruation and every period of ṭuhr equal to a month."

Instead, no two Muslims disagree that this claim is false because we and they all agree regarding a woman who menstruates once every two or three months, that she must still wait until she completes three quruʾ without exception.

So, the lie of the one who says, "Allah ﷻ made each menstruation and ṭuhr span a month," is clear.

We instead find that the ʿiddah can end in an hour because of childbirth so every nonsense they came with is invalidated and every false assumption by which they tried to legislate the religion.

If they say, "So according to you, the ʿiddah could end in a day or two?"

We say: Yes. So what? And where did Allah ﷻ or His Messenger ﷺ prohibit this? And you are the companions of qiyās, and we have shown you that ʿiddah can end in less than an hour and you have not denied that.

If they say, "But this doesn't ensure the woman is not pregnant."

We say to them: The ʿiddah is not for ensuring the absence of pregnancy, for many reasons:

That is a false claim from you, no naṣṣ has come for it.

The ʿiddah is obligatory on an elderly woman who is a hundred years old, and we are certain she cannot be pregnant.

The ʿiddah is obligatory on a young girl who is not capable of bearing children.

It is also obligatory on a sterile woman.

It is also obligatory on a woman if the man is castrated.

It is obligatory on a barren woman.

It is obligatory on a woman who had intercourse once, and her husband then travelled to India and remained there for twenty years, and later divorced her. We are certain she is not pregnant.

If ʿiddah was for the purpose of proving no pregnancy, then one ḥaydah (menstruation) would be enough to establish that.

It is obligatory from a woman who is divorced after her nifās (postnatal bleeding), and she is not pregnant.

The intelligent opposing one said, "A woman is not to be believed if she claims her ʿiddah ended in less than three months, but is to be believed if she claims it ended in three months."

Abū Ḥanīfah said, "She is not believed if she claims her ʿiddah ended in less than sixty days, but is to be believed if it ended in sixty."[532]

Muḥammad ibn al-Ḥasan said, "She is believed in fifty-four days but not less."[533]

---

[532] Al-Aṣl 1/514

[533] Al-Aṣl 1/513-514

Mālik said, “She is believed in forty days but not less.”[534]

Abū Yūsuf said, “She is believed in thirty-nine days, not less.”[535]

Al-Shāfiʿī said, “She is to be believed in thirty-three days, not less.”[536]

All of these durations they based upon their own principles.

None of them ensure with its ending no pregnancy, so they are the first ones to nullify their ʿillah and believe their own dalīl.

It is not permissible to be certain that a woman is not pregnant except after more than four months have passed. So how can they, claiming to be cautious regarding pregnancy, accept the woman’s claim, even if she is the most sinful and dishonest among creation in these durations?

As for us, we do not accept her word except with the testimony of four trustworthy, knowledgeable women. So the ones who are in reality cautious about pregnancy are apparent.

Especially since the majority of them agree, “A pregnant woman menstruates,” this nullifies the claim of those among them who say, “The ʿiddah was made to establish that the womb is free from pregnancy.”

Issue: There is No Limit For Nifās

Nifās (postnatal blood) is what usually comes after giving birth, and the source of the discharge is the same as with menstruation, from the uterus. Except that nifās usually lasts longer up to months, there is no limit for the longest time of nifās, just as with ḥayḍ. There is no defined minimum duration and also no limit for the most duration of nifās.

---

[534] Al-Mudawwanah 2/236

[535] Al-Awsaṭ 9/584

[536] Al-Umm 7/182

There is no disagreement that if the postnatal blood was a single flow and then stopped and did not return, she must fast, pray, and her husband may approach her.

And as for the longest duration, then as for what is narrated about Anas, from the Messenger of Allah ﷺ, "The maximum duration of nifās is forty days."[537]

This is weak, as Sallām ibn Sulaymān is weak.

There is no ḥujjah in anyone other than the Messenger of Allah ﷺ.

The blood of nifās is true menstruation (ḥayḍ). Its duration is the duration of ḥayḍ, and its ruling in every aspect is the same as ḥayḍ, because of the statement of the Prophet ﷺ to ʿĀʾishah as mentioned before, "Anufisti?"[538] With the meaning, "Have you menstruated?"

Issue: When a Young Girl First Sees Menstrual Blood

If a girl sees menstruational blood in the manner described before for the first time, then it is menstrual blood as previously mentioned. She must stop praying and fasting, and her husband or master must not have intercourse with her. Whenever it ends, she must perform ghusl, and she may pray, fast, and her husband can approach her. Even if it continues without change, she remains menstruating, no matter how long it takes. Until she sees discharge that is not menstruation as clarified before, as she is then not menstruating anymore. If a woman is not able to distinguish the menstruational discharge from the other discharges, then she uses the time of her previous menstruation, and when those days have passed, she is pure. If her menstruation days used to vary, she uses the last known days before the bleeding became continuous. If she also does not remember her menstruation time or has

[537] Sunan ibn Mājah 649: Ḍaʿīf
[538] Ṣaḥīḥ al-Bukhārī 294: Ṣaḥīḥ

menstruation for the first time, then she is pure because it is a matter of doubt, so she performs ghusl, prays, fasts, and has intercourse.

The decisive evidence for this is the saying of the Messenger of Allah ﷺ, as we mentioned in the beginning of the chapter on ḥayḍ from our book: "When menstruation comes, leave off prayer, and when it goes, perform ghusl and pray."[539]

And in some narrations: "So when the menstrual bleeding begins, leave off the prayer. Then, when its usual time passes, wash the blood off yourself and pray."[540]

There is in this the obligation concerning the discharge.

And ʿĀʾishah narrated, "Fāṭimah bint Abī Ḥubaysh asked the Prophet ﷺ: 'I have continuous bleeding (istihadah) and never become pure. Should I leave off the prayer?' He ﷺ said: 'No, that is a vein. But leave off prayer for the number of days you used to menstruate, then perform ghusl and pray.'"[541]

And from ʿĀʾishah, "Umm Ḥabībah asked the Messenger of Allah ﷺ about her bleeding. I saw her washbasin full of blood. The Messenger of Allah ﷺ said to her: 'Remain away (from prayer) for the number of days your menstruation used to prevent you, then perform ghusl and pray.'"[542]

As for the girl who menstruated for the first time, or a woman does not know her previous menstruation days and is unable to distinguish menstruation from the other discharges, then some people have said that they must perform ghusl for every two prayers or for every single prayer in this case till it stops.

And they mention what is narrated from Abū Salamah ibn ʿAbd al-Raḥmān ibn ʿAwf, "Umm Ḥabībah bint Jaḥsh used to have

---

[539] Ṣaḥīḥ al-Bukhārī 331: Ṣaḥīḥ

[540] Ṣaḥīḥ al-Bukhārī 306: Ṣaḥīḥ

[541] Ṣaḥīḥ al-Bukhārī 325: Ṣaḥīḥ

[542] Ṣaḥīḥ Muslim 334, 65: Ṣaḥīḥ

continuous blood flow, and she asked the Messenger of Allah ﷺ, so he ordered her to perform ghusl for every ṣalāh."[543]

This is weak as Abū Salamah ibn ʿAbd al-Raḥmān ibn ʿAwf did not hear from Umm Ḥabībah, he did not even hear from his own father.

And they mention what Zaynab bint Abī Salamah al-Makhzūmiyyah narrated, "A woman used to have continuous blood flow, and she was the wife of ʿAbd al-Raḥmān ibn ʿAwf, and the Messenger of Allah ﷺ ordered her to perform ghusl at every prayer time and to pray."[544]

This is weak as Zaynab did not hear from the Prophet ﷺ, when her mother married the Prophet ﷺ after the death of Abū Salamah, Zaynab had not yet been weaned[545]. So she would be six or seven years old when the Prophet ﷺ passed away.

And they mention what Umm Ḥabībah bint Jaḥsh narrated that, "She had istiḥāḍah, and the Messenger of Allah ﷺ ordered her to perform ghusl at the time of every ṣalāh."[546]

This is weak as Muḥammad ibn Isḥāq is weak[547]. And they mention what ʿĀʾishah narrated, "Umm Ḥabībah bint Jaḥsh had istiḥāḍah during the lifetime of the Messenger of Allah ﷺ, and he ordered her to perform ghusl for every prayer."[548]

This is weak. Sulaymān ibn Kathīr al-ʿAbdī is weak and is known for making mistakes from al-Zuhrī, and that occurred in this exact narration. Al-Layth ibn Saʿd testified that ibn Shihāb al-Zuhrī did not mention in this narration the order to perform ghusl for every prayer[549].

---

[543] Sunan al-Dārimī 901: Ḍaʿīf

[544] Sunan Abī Dāwud 293: Ḍaʿīf

[545] Al-Mustadrak 2/178-179

[546] Musnad Aḥmad 27445, 45/434: Ḍaʿīf

[547] Al-Ḍuʿafāʾ of al-ʿUqaylī 5/192 | Tārīkh Baghdād 2/20

[548] Sunan Abī Dāwud 292: Ḍaʿīf

[549] Ṣaḥīḥ Muslim 334, 63: Ḍaʿīf

And this narration is also from Muḥammad ibn Isḥāq who is weak. And it is narrated about Asmāʾ bint ʿUmays narrated, "O Messenger of Allah, indeed Fāṭimah bint Abī Ḥubaysh has istiḥāḍah. So the Messenger of Allah ﷺ said: 'Let her perform one ghusl for ẓuhr and ʿaṣr, and one ghusl for maghrib and ʿishāʾ, and one ghusl for fajr, and let her make wuḍūʾ in between these.'"[550]

This is weak as it is not known whether Khālid al-Ṭaḥḥān heard before or after the change in memory of Suhail ibn Abī Ṣāliḥ.

So the Sunnah came about the woman who has menstruational discharge, prohibiting her the prayer and fasting and intercourse. This is without doubt about the woman who can distinguish it from discharge that is not menstruation.

And the Sunnah came regarding using the amount of time it lasts. This is then without doubt for the woman that cannot distinguish her discharge from the menstruation. It cannot be said that this is for the menstruation that lasts for a long time as the Prophet never made a ruling for a long menstruation. So it is then about the woman that cannot distinguish it and that is based on the last menstruation she had because it is upon that which her ruling has settled with certainty and observation, and everything prior to it is void.

So these two types of women have their rulings established. Then only one remains: the woman who cannot distinguish her blood and also has no known days. Her situation is that of doubt, and doubts do not oblige rulings. As she is not certain of menstruating, she is in a state of purity. There is no other category.

If it is said, "But istiḥāḍah is used in the wording of the narration which is discharge that is not menstruation."

We say: We know by necessity and certainty that a woman is not obliged in general, in every circumstance, to perform ghusl for a mere discharge that is not menstruation. So we know then that it is related to menstruation, and its description cannot apply except in the

[550] Sunan Abī Dāwud 296: Ḍaʿīf

manner we mentioned, as the rulings of menstruation are established as they are, and what remains is nothing but the one that cannot distinguish, and the one that is pure is the one that cannot distinguish and also does not know her days till it ends.

As for the narration attributed to the father of Jābir, "Asmāʾ bint Murshid al-Ḥārithiyyah came to the Messenger of Allah ﷺ while I was sitting with him. She said: 'O Messenger of Allah, I have had a ḥayḍ that is unfamiliar to me. After becoming pure, I remain clean for three or four days, then it returns, preventing me from praying.' He ﷺ said: 'When you see that, wait for three days, then purify yourself on the fourth day and pray, unless you see a gush of thick dark blood.'"

This argument is worse than the position it supports, because this report is false. It is only narrated by Ḥarām ibn ʿUthmān, and to Allah belongs all praise.

Issue: Fiṭrah

Siwāk is recommended, and if someone is able to use it for every ṣalāh, then that is more virtuous. Plucking the armpit hair, circumcision, shaving the pubic hair, and trimming the nails are all from the fiṭrah; it is not prohibited if it is not done beyond forty days. As for trimming the moustache, it is an obligation (farḍ). It is not permissible for a woman to pluck hair from her face, but shaving it is permissible. It is recommended for a person in the state of janābah who wants to eat, sleep, or drink to perform wuḍūʾ, but it is not obligatory upon him. But if he wants to return to intercourse, then he must perform wuḍūʾ again. And if he has intercourse with two wives or multiple women, whether wives or concubines, then it is good if he performs ghusl between each pair, and if he does not perform ghusl except at the end, then that is also good.

The decisive evidence for this is what Abū Hurayrah narrated from the Prophet ﷺ who said, "Al-fiṭrah is five: circumcision, shaving

the pubic hair, trimming the nails, plucking the armpits, and trimming the nails, plucking the armpit hair, and trimming the mustache."[551]

And it is also narrated from Abū Hurayrah from the Prophet ﷺ that he said, "Were it not that I would cause hardship for my ummah, I would have ordered them to use the siwāk before every prayer."[552]

As he ﷺ did not order them, it is not obligatory.

And it is narrated from Anas ibn Mālik, "We were given a time limit regarding trimming the mustache, clipping the nails, plucking the armpit hair, and shaving the pubic area, [that] none of these should be left for more than forty nights."[553]

This is not from the Prophet ﷺ, and its wording does not indicate obligation.

As for the obligation of trimming the mustache and letting the beard grow:

Ibn ʿUmar narrated, "The Messenger of Allah ﷺ said: 'Differ from the polytheists: shorten the mustaches and let the beards grow.'"[554]

Ibn ʿUmar narrated, "The Messenger of Allah ﷺ said: 'Eradicate (nahk) the mustaches, and let the beards grow.'"[555]

And the Prophet ﷺ ordered iḥfāʾ of the mustaches[556].

Nahk and iḥfāʾ of the moustaches mean both exaggeration in taking from them; trimming is not sufficient. From the meanings of nahk and iḥfāʾ is cutting it off from the roots. Whoever claims it is removing what is above the lips has lied and has no trace of evidence.

---

[551] Ṣaḥīḥ al-Bukhārī 5889: Ṣaḥīḥ
[552] Ṣaḥīḥ Muslim 252: Ṣaḥīḥ
[553] Ṣaḥīḥ Muslim 258, 51: Ṣaḥīḥ
[554] Ṣaḥīḥ al-Bukhārī 5892: Ṣaḥīḥ
[555] Ṣaḥīḥ al-Bukhārī 5554: Ṣaḥīḥ
[556] Ṣaḥīḥ Muslim 259, 52: Ṣaḥīḥ

As for the narration attributed to the Prophet ﷺ, "Whoever does not shave his pubic hair, trim his nails, and shorten his mustache is not from us."[557]

This is weak as it has only come from ibn Lahīʿah who is weak.

ʿĀʾishah narrated, "When the Messenger of Allah ﷺ intended to sleep, eat, or drink while in a state of janābah he would perform wuḍūʾ as he would for prayer."[558]

It is also narrated from ʿĀʾishah that she said, "When the Messenger of Allah ﷺ wanted to sleep while in a state of janābah, he would perform wuḍūʾ; and if he wanted to eat or drink, he would wash his hands, then eat or drink."[559]

If it is said, "But it is authentically narrated ʿUmar mentioned to the Messenger of Allah ﷺ that janābah would befall him during the night, and the Messenger of Allah ﷺ said to him: 'Perform wuḍūʾ and wash your private parts, then sleep.'"[560]

We say: It is also narrated from ʿĀʾishah that the Messenger of Allah ﷺ used to sleep while in a state of janābah in his same state without touching water[561].

And ʿĀʾishah narrated, "When the Messenger of Allah ﷺ would return from the masjid, he would pray whatever Allah willed for him to pray, then turn to his bed or to his family. If he had a need from his family, he would fulfill it, then sleep in his state without touching water. Then, when he heard the call (to prayer), he would rise, and if he was in a state of janābah, he would bathe; and if not, he would perform wuḍūʾ, pray two rakʿahs, and go out to the masjid."[562]

This is a general statement which includes both wuḍūʾ and ghusl and other than that. And whoever claims that Sufyān made a

---

[557] Musnad Aḥmad 23876: Ḍaʿīf

[558] Ṣaḥīḥ Muslim 305, 22: Ṣaḥīḥ

[559] Ṣaḥīḥ Muslim 305, 21: Ṣaḥīḥ

[560] Ṣaḥīḥ al-Bukhārī 290: Ṣaḥīḥ

[561] Sunan Abī Dāwud 228: Ṣaḥīḥ

[562] Musnad Aḥmad 25791, 42/519: Ṣaḥīḥ

mistake in this ḥadīth is himself the one who is mistaken, by claiming something for which there is no evidence.

So if it is said: "Zuhayr ibn Muʿāwiyah contradicted him," we say: Sufyān has a stronger memory than Zuhayr. Even if that would not be the case, the contradiction of some narrators with others is not a ḥujjah of it being a mistake from one of them. Instead, a thiqah is accepted in everything he narrates. And with Allah the Exalted is all success.

And the statement of ʿĀʾishah indicates him ﷺ doing it habitually.

Anas ibn Mālik narrated, "The Messenger of Allah ﷺ used to go around to all his wives in one night with one ghusl."[563]

As for the obligation of wuḍūʾ when going back to intercourse after having had intercourse: Abū Saʿīd al-Khuḍrī narrated, "The Messenger of Allah ﷺ said: 'If one of you enters his wife and then wants to return to her (again), let him perform wuḍūʾ between the two (acts).'"[564]

As for plucking: It is authentically narrated that the Prophet ﷺ cursed the mutanammisah (the woman who has her hairs plucked)[565].

And in the language it is the woman who has her the hair plucked from her face, not specifically the eyebrows only[566]. And namṣ is also only plucking. And plucking (natf) is not shaving, so shaving is permissible. And this is permissible for men, only the women are addressed with this.

---

[563] Musnad Aḥmad 11946, 19/12: Ṣaḥīḥ

[564] Ṣaḥīḥ Muslim 308: Ṣaḥīḥ

[565] Ṣaḥīḥ al-Bukhārī 5931: Ṣaḥīḥ

[566] Gharīb ul-Ḥadīth of Abū ʿUbayd 1/166

Issue: Eating, Performing Wuḍūʾ and Ghusl in Vessels of Brass, Copper, or Ruby

Every kind of vessel made of brass, copper, lead, tin, crystal, emerald, ruby, or anything else, eating, drinking, performing wuḍūʾ and ghusl in them is permissible for both men and women. This is based on the saying of Allah ﷻ, "He is the One who created for you all that is on the earth." [al-Baqarah: 29]

And His statement, "And He has explained to you in detail what He has forbidden you." [al-Anʿām: 119]

From this it is established that everything not mentioned being ḥarām or obligatory is permissible.

Gold-plated items or those adorned with gold are ḥalāl for women and ḥarām for men, because these are not gold vessels.

It has been authentically narrated from the Prophet ﷺ, "Silk and gold are ḥalāl for the women of my Ummah and ḥarām for its men."[567] Gold-plated things are not gold vessels. And silver-plated or silver-adorned things are permissible for both men and women, as they are not silver vessels. And by Allah ﷻ we seek strength. He is sufficient for us and the best Disposer of affairs.

Issue: One Unable to Wash Certain Body Parts in Ṭahārah

Whoever is unable to purify a limb in wuḍūʾ or ghusl such as someone whose hands, feet, or part of them have been amputated then the ruling (obligation) for that limb is lifted. He must still wash whatever remains, because of the saying of the Prophet ﷺ, "If I order you with something, then do of it what you are able." If there is a wound on the body, the ruling for it is omitted, but the obligation to wash the rest of the body

[567] Sunan Abī Dāwud 4057

or limbs remains. If wounds cover both hands, or one hand, or both legs, or the face, or parts of the body, and it takes him to the name ‘illness’ and there is ḥaraj when he touched whatever, then he performs tayammum only, as he now falls under the ruling of the sick person (al-marīḍ). But if using water does not cause harm, then it suffices to immerse or pour water over that area. If it does not take him to the name ‘sick,’ then he must wash whatever he can, and whatever brings ḥaraj (difficulty) is omitted, whether much or little, based on what has been mentioned. It is not valid to combine tayammum and ghusl in a single act of purification, nor wuḍūʾ and tayammum, because there is no authentic text or consensus allowing this, except in one specific situation, which was previously mentioned, and that is: the one who has only a small amount of water insufficient to cover all limbs of wuḍūʾ or the entire body in ghusl. And by Allah ﷻ is all success.

Issue: The One Who Doubts the Status of Water

If someone has water in front of him and doubts: Did a dog drink from it or not? Was it left over from a woman or not? Then he can perform wuḍūʾ or ghusl with it even without necessity, because he is certain of its original purity and that it was valid to purify with. His doubt is whether it has now become prohibited to use. But certainty is not removed by doubt. Allah ﷻ said, “Indeed, assumption does not avail against the truth at all.” [Yūnus: 36] But if he doubts whether it is truly water or extracted from a plant, then wuḍūʾ and ghusl are not permissible with it because he lacks certainty that this liquid was ever valid for purification. Since wuḍūʾ and ghusl are both obligations, they cannot be fulfilled with something uncertain. If two or more vessels are in front of him, one contains pure water with certainty, and the others are either those that a dog drank from or one is doubtful, then he can perform wuḍūʾ from any of them as long as he is not certain that he has exceeded the number of pure vessels and used one that is

impermissible. This is because each individual vessel is pure except if established otherwise. But if he becomes certain that he purified with a vessel that is impermissible, then he has with certainty committed a prohibited act and must rewash the limbs if the water was prohibited to use. If among the vessels one contains juice or plant extract and he doesn't know which, then he cannot perform wuḍūʾ from any of them because he lacks certainty that he used water. And certainty is not overruled by assumption. And by Allah ﷻ is all success.

وَصَلَّى اللَّهُ عَلَى مُحَمَّدٍ وَآلِهِ وَصَحْبِهِ
وَسَلَّمَ